

APPENDIX 'C': SUBMISSIONS RECEIVED (Summary and Original Correspondence)

NO.	OWNER/ADDRESS	COMMENTS
<p>COMMENTS REGARDING FUTURE URBAN AREA (Please refer to original submission for full details of the comments)</p>		
1	Grace Chinese Gospel Church 5172 Major Mackenzie Drive	Request to permit a place of worship as part of an expanded Future Urban Area.
2	Philip Mihorean 10983 McCowan Road	<p>(a) Comments relate to the boundary of the Rouge River Conservation Area and that the area between 18th and 19th Avenues should have an appropriate land use in keeping with normal growth patterns and not restricted to long permits of inactivity.</p> <p>(b) Recommend that lands east of McCowan Road, north of Major Mackenzie should be designated for employment.</p>
3	Sylvia and Jessie Leffering 10144 McCowan Road Maria Frocione, 10192 McCowan Road Frank and Elizabeth Markovits, 10228 McCowan Road Lorne and Carol Smith, 10292 McCowan Road	Request to expand the Future Urban Area as it is not realistic to maintain these properties as future family farms due to size of farm and close proximity to the urban area.
4	Yvonne Geverink and Dennis Marengour 6080 Major Mackenzie Drive	Request to expand the Future Urban Area to allow the lands to be designated Commercial and included in the Mount Joy Secondary Plan.
5	North Markham Landowners Group (representing certain landowners north of Major Mackenzie Drive)	<p>(a) Request to review Employment land use designation.</p> <p>(b) Major retail not a distinct type of land use and land requirement – Markham should designate additional Commercial lands.</p> <p>(c) Request to reconcile natural heritage system boundary, define and distribute securement policies, consider parkland credits, to discuss implications of MSSP.</p> <p>(d) Clarify intent of Countryside Agricultural policies.</p> <p>(e) Request that Conceptual Master Plan apply to the entire whitebelt. The 5 year timeline is not realistic and should be limited to required and future infrastructure only.</p> <p>(f) Recommend that the secondary plan process should be concurrent with the preparation of the Conceptual Master Plan.</p>
6	Minotar Holdings Inc., Cor-Lots Developments, Cherokee Holdings and Halvan 5.5 Investments Limited	<p>(a) Request for refinement of the boundary of the Natural Heritage System on the Minotar lands.</p> <p>(b) Recommend that the policy related to the Future Urban Area boundary be revised to clarify that it applies to the boundary of the Future Urban Area designation.</p> <p>(c) Greenway provisions and agricultural policies in the Draft Official Plan appear to be more restrictive than the Greenbelt Plan.</p> <p>(d) Recommend that the principle of 'balance' be reflected</p>

		<p>throughout the Plan.</p> <ul style="list-style-type: none"> (e) Appears that in a few instances the terminology related to natural heritage is inconsistent. (f) Consider adding definitions for 'Natural Heritage Network' and 'Natural Heritage Enhancement Lands'. (g) Recommend using consistent terminology that aligns with Regional and Provincial plans to ensure clarity. (h) Recommend that the Plan provide specific direction as to the objectives and content, as well as the process to be followed prior to adoption by Council of documents such as (urban design guidelines, tertiary plans, block plans). (i) Recommend that the Plan provide more specific direction for the preparation of an Urban Forest Management Plan, and Network Edge Management Guidelines. (j) Clarify what the status of the preamble sections are at the beginning of each Chapter. (k) Recommend providing some direction with respect to long term planning to support transit on Major Mackenzie Drive. (l) Suggest that Section 2.3.3 and/or the definition of municipal comprehensive review be revised to more closely reflect the York Region Official Plan. (m) Suggest that 'developable lands' be defined in conformity with the final definition of the approved York Region Official Plan. (n) Clarify the relationship of the Greenway System with the Regional System. (o) Clarity relationship between Markham's small streams process and the TRCA's. (p) Recommend that policies provide for the ability to modify boundary of the Greenway System if the hazard line is modified, without an amendment to the Plan. (q) Recommend deleting the requirement for conveyance of the Natural Environmental Hazards at no cost. (r) Recommend that the policies on noise studies should indicate which policy takes precedence with respect to streetscape design. (s) Recommend that criteria be established for identification of land under ecological street. (t) Suggest providing flexibility should the targets for affordable and shared housing not be available prior to the preparation of a secondary plan. (u) Requirement for an agreement to secure provision of community services prior to zoning is a significant issue without an understanding of the implications (v) Clarify policy to indicate that the City should be given a first right of refusal for public sites and/or buildings not required by the School Board for only sites owned by the School Board.
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7	<p>McCowan-48 Owners (includes Colebay Invesments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited, Summerlane Realty Corp., Fairgreen Sod Farms and State Developments)</p>	<p>Defer consideration of the Future Urban Area and policies in the draft Official Plan until the Region Official Plan and ROPA 3 have been approved by the Ontario Municipal Board.</p>
8	<p>(Metrus) Glendowner Development Inc. Member of North Markham Landowners Group Lands on the east side of Woodbine Avenue, north of Elgin Mills</p>	<p>Request to review employment land use designations as identified in letter submitted by North Markham Landowners Group (See No. 5).</p>
9	<p>Berczy Glen Landowners Group West of Warden Avenue and south of Elgin Mills Road East</p>	<ul style="list-style-type: none"> (a) Supportive of the inclusion of these lands as Future Urban Area and the proposed designation of Future Neighbourhood Area. (b) Appears that the cumulative costs of all the studies that are being required in Chapter 6, including but not limited to the provision of public art, open space and key natural feature enhancements, streetscape obligations, open space plans, architectural detailing, sustainability requirements, financial analysis and many other requirements will result in the inability to deliver a product that meets or addresses in a meaningful way the affordability requirements of Chapter 4 of the Plan. (c) Additional comments may follow on Chapters 3 and 7. (d) Request that the City allow the preparation of the various studies outlined in Section 8.12 Future Urban Area (e.g. Subwatershed Study, Conceptual Master Plan, Master Environmental Servicing Plan, Transportation Plan) on a geographic basis smaller than the entire Future Urban Area. (e) Allow flexibility to the landowners in the Future Urban Area to address Phasing Development and Detailed Planning. (f) Consider submission and study requirements onerous in relation to the ultimate goals for high quality

		developments, buildings and affordability factors expressed elsewhere in the Plan.
REQUEST FOR A DIFFERENT LAND USE DESIGNATION		
10	Metropia (Markham) GP Corporation 5112, 5122 and 5248 14 th Avenue 7768, 7778, 7788 and 7798 McCowan	Request to change Residential Low Rise to Mixed Use Low Rise.
11	Maylar Construction Limited Southwest corner of McCowan Road and Wilfred Murison Avenue	Request to change Residential Low Rise designation to Mixed Use Mid Rise designation to reflect current Neighbourhood Commercial designation.
12	Scardred 7 Company Ltd. 4038 Hwy 7 East	(a) Request that a Mixed Use Mid Rise designation be applied to the property. (b) What criteria is the City using/proposing to use to determine when a Developer Group Agreement is appropriate? (c) Clarify what is meant by a private street (Policy 11.18.5.5) and what are the standards employed to determine same? (d) Does the City obtain an easement for public access?
13	404/19 th Avenue Developments Inc. North east of Highway 404 and 19 th Avenue	Request to remove lands from the Greenway designation. The Province is considering removal of the Greenbelt on these lands and the owner is requesting that the Official Plan maps and schedules note this.
14	Lebovic East and west side of 9 th Line, north of 19 th Avenue	Will provide staff with environmental and planning reports showing that this property is not geographically part of the Oak Ridges Moraine and should not be designated as Greenway.
15	Chris and Kathy Roidis 9963 Woodbine Avenue	(a) Request to change Residential Estate to Mixed Use Low Rise. (b) Refine the location of the Greenway designation on the subject lands based on work undertaken by the owner's consultant with respect to confirming the boundaries and impacts of the hydrologic feature on the site.
AREA AND SITE SPECIFIC POLICY REQUEST		
16	York Downs Golf & Country Club 4134 16 th Avenue	(a) Request a residential designation for the entire land holding. (b) Request that the staked limits of the environmental features for this property be incorporated into Markham's new Official Plan. (c) Do hedgerows need to be retained? (d) Is the OP definition going to be revised to reflect the new DFO definition? (e) Recommend that definition of vegetation protection zone refer to key natural heritage and hydrologic features. (f) Clarify if the minimum vegetation protection zone is applicable to lands within the built-up urban area.
17	Mahamevna Bhavana Asapuwa Toronto 11175 Kennedy Road	The congregation has future plans for expansion and has submitted an Official Plan Amendment and Zoning By-law Amendment to permit a place of worship.
18	Unionville Montessori School 4488 16 th Avenue & 9286 Kennedy Road	Proposing to submit plans in the future for an expansion to the existing school and want to ensure that they are not prohibited from being used for private schools and related uses.
19	Kau & Associates L.P (1045064 Ontario Limited) 71 Cochrane Drive	Request that current permissions on the property related to COMMERCIAL – Retail Warehouse be maintained in the new Official Plan and that any new use permissions contemplated

		for other commercial sites in the area be added at Markham's discretion.
20	Sheridan Nurseries 4077 Highway 7	Owner is considering a rezoning of the property. Considering upgrading and redevelopment of the site.
21	Paul William Young 4137 Highway 7	Requesting that the status of current zoning and approvals for the property are recognized in the Official Plan.
22	Home Depot Holdings Inc. 3155 Highway 7 50 Kirkham Drive 1201 Castlemore Avenue	Request that: (a) Current use permissions including outdoor storage and display be maintained for 3155 Hwy 7, 50 Kirk Drive. (b) Request that mapping for 3155 Highway 7 site be revised to remove the Greenway designation from the building envelope and match the existing Hazard Lands designation of the current Official Plan, (c) Residential Mid Rise designation does not recognize existing Home Depot at 1201 Castlemore Avenue as a permitted use. Request that the site be designated Mixed Use Mid Rise.
23	Mon Sheong Foundation 35, 67 & 73 Old Kennedy Road and 4550 & 4576 Steeles Avenue	Recognize and carry forward the site specific permissions obtained through recent planning approvals (retirement complex with independent living, long term care and assisted living units for seniors).
24	Markham Suites Nominee Inc. 8500 Woodbine Avenue	Owners have applied for rezoning for further intensification of the Hilton property and will be conferring with staff concerning matters related to height, density and parkland contribution as they relate to the new Plan and existing Markham Centre Secondary Plan.
25	Frangian Holdings Limited 7089 Yonge Street and 11 and 15 Grandview Avenue	(a) Concerned with proposed minimum height restrictions and criteria for FSI permissions of Mixed Use High Rise category, (b) Status of Yonge Steeles Corridor Secondary Plan should be shown as "to be approved". (c) Concerned with the proposed change of Grandview Avenue from a local road to a minor collector road and the related increase in right-of-way width.
26	Mandarin Golf and Country Club 11207 Kennedy Road AV Investments II Inc. 11142 McCowan Road	(a) Recognize existing golf course and practice range. (b) Requesting that the proposed Greenway System identified on the property be examined in a more detailed manner and that the expanded natural heritage system designation be removed. (c) Section 3.4.1.5 should be modified to require the conveyance of hazardous lands at the time of development approvals so that there is no misunderstanding that these lands are to be conveyed while functioning as a golf course or agricultural use. (d) Suggest that the requirement for a vegetation protection zone for a stream be measured from the watercourse and not the floodplain. (e) Support land use structure proposed by the North Markham Landowners Group as it relates to the proposed future urban designation on the subject lands outside of the proposed urban boundary expansion. (f) Recommend that the requirement for vegetation protection zone for a stream be measured from watercourse and not the floodplain.

27	Primont Homes (Cornell) Inc. 6881 Hwy 7	(a) Request a floor space index between 1.0 and 2.5, (b) Request removal of drainage features reflected on Maps 5, 6 and 10 and Appendix A based on TRCA and DFO agreement, (c) Request that references to non-operative portions of the Plan (Appendices) be removed from the operative policies. (d) Clarify if the existing 2 storey residential building (Lewis J. Burkholder House) would continue to be a permitted use on the site, despite the land use designation and permitted uses/building types as currently outlined.
28	CF/OT Buttonville Properties LP	(a) Request that Map 3 and Appendices A, E and F be revised to reflect the property boundary shown on Buttonville Secondary Plan application. The Buttonville Airport boundary should also include adjacent lands that comprise the airport/redevelopment lands. (b) The owner is also requesting a site specific designation.
29	IBM Canada 8200 Warden Avenue	(a) Concerned with the proposed redesignation of the subject lands from Community Amenity to Business Park Office Priority. (b) Concerned with the depiction of the Regional Rapid Transit Corridor through the IBM lands.
30	Loblaws Properties Limited Vacant lands at Hwy 404/Major Mackenzie 200 Bullock Drive 9255 Woodbine Avenue 7075 Markham Road 8601 Warden Avenue 5762 Highway 7 East 9301 Hwy 48 7200 Markham Road	(a) Request confirmation that current permissions will be carried forward for the property at 404 and Major Mackenzie Drive. (b) Request that existing floor space permissions at 2000 Bullock Drive be carried forward. (c) Clarify if height and density requirement (Policy 8.3.3.4) and mix of uses (8.3.3.1) would apply to proposals for expansions or additions to existing buildings. (d) Request that Policy 6.1.8.7 be revised to allow for flexibility in providing parking similar to 8.3.1.3.
31	Markham Stouffville Hospital Corporation	Request a meeting to discuss Mixed Use Health Care Campus policies and implementation of Cornell Centre Secondary Plan.
32	Lincoln House Inc. 44-52 Esna Park	Request site specific policies to recognize existing permissions on the property.
33	Tribute Unionville Ltd. 20 Fred Varley Drive	(a) Request a site specific exception to permit a maximum FSI of 1.92. (b) Request a rationale for the proposed changes to the Special Policy Area policies. Several policies appear to be inconsistent with the Toronto Region and Conservation Authority policy and with the intent of the Provincial Policy Statement.
34	Village Nissan (Dougson Investments Inc.) 25 South Unionville Avenue	Request site specific permissions obtained through previous Official Plan Amendment (No. 176) be maintained (e.g. permission for accessory outdoor storage and vehicle display).
35	Digram Developments Inc. South side of Major Mackenzie Drive and east of Donald Cousens Parkway	(a) Request that an Urban Residential designation be applied to the property to reflect the current planning approvals. (b) Request that boundary of development parcels of land which have been registered be recognized as the limit of development.
36	New Unionville Home Society 4300 Hwy 7	Request to be included within an intensification area and recognize campus development and redevelopment opportunities.

37	Clera Holdings Limited Southwest corner of Woodbine Avenue	(a) Appendix B incorrectly identifies small stream on lands. (b) Request to recognize the decision of the Ontario Municipal Board with respect to size and location of the natural wildlife corridor for lands south of Elgin Mills between the lands owned by Clera Holdings and N30 Investments.
38	Shops on Steeles Development Bayview Summit Developments Limited Northeast corner of Don Mills Road and Steeles Avenue East	(a) Request that site specific permissions currently in effect be carried forward. (b) The property should be identified as an Intensification Area on Map 3. (c) Clarify if the City intends to carry forward the site specific OPA for this property and/or the Thornhill Secondary Plan into the new Official Plan.
39	Markham Woodside Centre Immediately east of the southeast corner of Woodbine Ave and Hwy 7	Owners are interested in intensifying the site for higher density mixed use development including office and residential uses with retail in a phased manner.
40	Memorial Gardens Canada Limited Dickson Hill Settlement Area	Active application for development of a new cemetery within and adjacent to Dickson's Hill Settlement Area - Ensure that policies in the new Official Plan allow for development of new cemeteries. (a) Recommend that policies be modified to recognize cemeteries as a rural land use in conformity to the Region of York's new Official Plan. (b) Recommend that both privately and publicly owned cemeteries should be permitted across all designations with exception (employment lands and environmentally sensitive lands) and should be subject to same locational and development criteria in conformity with the Region of York's new Official Plan. (c) Recommend that the policies differentiate between expansion of an existing cemetery and establishment of a new cemetery.
41	Lindvest Properties (Cornell) Block east of Bur Oak Avenue, south of Highway 7, west of Donald Cousens Parkway, and adjacent to Highway 407 on the south	(a) Proposing to focus retail/commercial development in this block and to also provide for the opportunity for a VIVA transit facility. Development of lands along the Highway 7 frontage for retail commercial purposes may require policy changes to permit stand alone commercial retail facilities as an additional permitted use. (b) Clarify if the City intends to amend the secondary Plan before the inclusion
42	9500 & 9506 Markham Road	Site specific policies 11.3.6.6 (b) should be modified to indicate approval for 219 units.
43	Greensborough School Block	Request that the City recognize the current boundary of the school block and delete any requirement for any additional studies or requirement to provide a minimum vegetation protection zone on the school site (11.3.4).
44	E. Manson Investments Limited 245 Renfrew Drive	Request that the City recognize the current permission for a private school use on the property.
45	Humboldt Greensborough Valley Development Ltd. East side of Donald Cousens Parkway, north of Castlemore Avenue	Request that the boundary of the developable parcels of land be recognized as the limit of development and that the existing designation and policies of the Greensborough Secondary Plan applicable to these lands be preserved.
46	Sandra Wiles	Request that the current limit of development of the Hazard Land Designation (Greenway- Valleyland designation in the

		Draft Official Plan) be recognized and that the requirement for a minimum vegetative buffer zone and study be deleted.
47	LBS Group 8651 McCowan Road	Request site specific exemption: (a) To permit retail uses and any future expansion. (b) From compliance with height and density policies. (c) To continue to permit outdoor storage.
48	International Business Consortium North of Highway 7 and Stoney Stanton Road, west of Bur Oak Avenue, north and south of the future Rose Way Extension	(a) Request that Maps 5, 6 and 10 and Appendix A be revised to remove the references to “permanent or intermittent stream”, floodplain and TRCA regulations under O.Reg 166/06 in the areas subject to Department of Fisheries and Oceans (DFO). Note that stream is also shown on Appendices D and E. (b) Recommend that non-operative portions of the Plan be removed from the operative policies. (c) Northern portion of the subject lands are designated Mixed use Health Care Campus. These lands are surplus to the needs of the hospital and request that these lands be designated Mixed Use Mid Rise. (d) Request that reference to subject lands as Markham Stouffville Hospital be removed from Appendix C. (e) Request that the Official Plan allow for the maximum density and height shown in Precinct Plan, resulting in a minimum height of 3 storeys and a maximum height of 18 storeys and a minimum/maximum floor space index of 1.5 to 3.5. (f) Request single storey commercial uses along Avenue 7 frontage. (g) Clarify relationship between the ongoing Cornell Centre Precinct Plan process, the approved Cornell Secondary Plan and the “Cornell Centre Secondary Plan” Section 8.3.6.
REQUEST FOR AN EMPLOYMENT LAND CONVERSION		
49	Romandale Farms Limited (Member of the North Markham Landowner’s Group) <ul style="list-style-type: none"> • Warden Avenue & Kennedy Road (within proposed urban expansion boundary) • West Warden Avenue & Kennedy Road (within proposed urban expansion boundary) • East of Warden Avenue, on north side of Elgin Mills between Warden Avenue & Kennedy Road (not within urban expansion boundary) 	(a) Do not agree with employment lands fronting onto Elgin Mills Road. (b) Support a Community Amenity Area (residential) designation as proposed by North Markham’s Landowner Group. (c) Do not agree with the proposed Greenway System boundary on their lands.
50	Lindvest Properties (Cornell) East of Bur Oak Avenue, south of Highway 7, west of Donald Cousens Parkway and adjacent to Highway 407 to the south	Applied for a pre-consultation meeting to permit a mixed use community on lands designated for employment (Business Park and Business Park Office Priority). Proposing to provide for employment land uses at the eastern portion of the subject lands (immediately adjacent to Donald Cousens Parkway).
51	Times Group Corporation Markham Uptown Northeast corner of Hwy 7 and Village	(a) Consider allowing a mix of residential and commercial uses. (b) Property at the southeast corner of Hwy 7 and Saddlecreek Drive is currently designated Commercial – Community

	Parkway Leitchcroft – south of Hwy 7, east of Bayview Avenue	<p>Amenity. The draft Official Plan proposes to designate the property Business Park Office Priority. Believe that the conversion in designations amounts to a downgrading of the permissions on the property and Times Group is opposed to any designation which serves to remove the flexibility for future development on the site.</p> <p>(c) Clarify how affordable housing policies will be implemented. Concerned with the requirement for housing statements which apply only to mid and high rise development.</p> <p>(d) Current parkland policies are overly onerous on high density development and serve as a disincentive to intensification and compact development.</p> <p>(e) Retail policies are overly restrictive to retail development throughout the City, as is the definition of major retail and how it is/will be applied.</p> <p>(f) Concern with mid and high rise policies, densities, heights and development criteria.</p> <p>(g) Clarify how the draft Official Plan may apply to Markham Centre and to recent approvals.</p>
52	Catholic Cemeteries Archdiocese Toronto Northeast corner of Woodbine Avenue/19 th Avenue	Object to proposed designation of lands for employment and request an Institutional designation to permit the development of a cemetery.
53	South side of 14 th Avenue East of Middlefield Road	Excerpt of December 6, 2011 Development Services Committee – Development concept for the south side of 14 th Avenue, east of Middlefield Road. Referred to staff for consideration in the context of Markham’s Official Plan Review.
REQUEST FOR AN EMPLOYMENT LAND REDESIGNATION OR SITE SPECIFIC POLICY		
54	Liberty Development Corporation and 2145312 Ontario Inc. 1 Steelcase Road	Submitted an Official Plan Amendment and Zoning By-law Amendment application to permit a mixed-use employment centre. Request that the Official Plan recognize any approvals that result from the consideration of the forgoing applications to amend the Official Plan.
55	John St. Holdings 2851 John Street	<p>The property is currently designated Business Corridor. The new Official Plan designates these lands as Service Employment.</p> <p>(a) Recommend that the Service Employment land use designation should allow for greater flexibility for a variety of retail formats.</p> <p>(b) The requirements for a municipal comprehensive review when any non-ancillary use or major retail use is proposed in the Service Employment designation appear unduly restrictive and onerous.</p> <p>(c) Clarify if whether or not the gross floor area, not representing more than 50% of the gross floor area of the building, can exceed 3000 square metres, or whether this would be considered ‘major retail’ and therefore, prohibited.</p>
56	Woodbine Road Development 7390-7400 Woodbine Avenue	The property is currently designated Business Corridor Area which allows some retail as a complementary land use particularly along an arterial road. The draft Official Plan designates the lands as Service Employment.

		<ul style="list-style-type: none"> (a) Concern with restrictions on retail permissions placed on the property. (b) Recommend that the Service Employment land use designation should allow for greater flexibility for a variety of retail formats. (c) Concern with implications of the new “flood vulnerable area” designation which appears to apply to a portion of the property. (d) The requirements for a municipal comprehensive review when any non-ancillary use or major retail use is proposed in the Service Employment designation appear unduly restrictive and onerous. (e) Clarify if whether or not the gross floor area, not representing more than 50% of the gross floor area of the building, can exceed 3000 square metres, or whether this would be considered ‘major retail’ and therefore, prohibited.
57	Majorwood Developments Certain lands located between Highway 404 and Markland Street immediately north of the Loblaws property fronting on Major Mackenzie Drive	<ul style="list-style-type: none"> (a) Proposed roadway places limits on lands and request direction from the City on how to proceed. (b) Request that the range of uses currently permitted in the Official Plan and zoning be maintained. (c) Recommend that restaurants be permitted as of right in Service Employment. (d) The proposed major retail limit of 1,000 square metres per use and 3,000 square meter collective limit seem overly restrictive. (e) Proposed Service Employment designation is acceptable provided the standards proposed for restaurants, individual retail units, collective building areas and proportionate limits are deleted from site specific designation.
58	Belfield Investments Inc. 8050 Woodbine Avenue	Property is within the Parkway Belt West Plan. Plan proposes a Business Park designation for this property. The owner is requesting that staff consider a split employment designation of Business Park and Service Employment along the Woodbine frontage.
59	Aldo Vetesse (Vetmar) 11050 Woodbine Avenue	Lands are designated General Employment and the owner is requesting a Business Park designation.
60	Kingsett Capital 115, 145, 161, 207, 227, 247, 267 and 297 Idema Road 41, 57, 67, 77, 87 and 96 Steelcase Road	Lands are designated General Employment and the owner is requesting a Business Park designation.
GENERAL COMMENTS		
61	Building Industry and Land Development Association (BILD)	<ul style="list-style-type: none"> (a) Request that the BILD York Chapter be consulted in the preparation of the Natural Heritage Network Edge Management Guidelines identified in Chapter 3. (b) Request to be actively engaged in Affordable Housing Strategy and implementation. (c) Request clarification of affordable housing requirements identified in Policy 4.1.3.6 d) as it relates to requirement to provide a Housing Statement. (d) BILD York Chapter would like to be notified of the new Parks and Open Space Classification.

		<ul style="list-style-type: none"> (e) In keeping with the intensification policies of Section 2.4 – recommend that open space be considered as part of the parkland dedication process. (f) Request to be consulted on the preparation of Urban Design Guidelines, Streetscape Manual, Parks and Open Space Guidelines, Build Form, Height and Massing Guidelines and Sustainable Development Guidelines and incentive programs. (g) Clearly identify what is being proposed with respect to views and vistas (6.1.5), from the point of origin to its ends and illustrate this protection zone as a view cone. (h) Policy 6.1.5.5 indicates that all new development and redevelopment is to contribute to a distinctive skyline through architectural treatments and screening of rooftop elements. Clarify what is meant by “distinctive”. (i) Recommend that policy 6.2.2.5 as it relates to achieve 10 percent greater water conservation than the Ontario Building Code for all new buildings include the words “where practical and feasible”. (j) Request to be consulted on the preparation of Dark-Sky Guidelines, Bird Friendly Guidelines. (k) Not appropriate to phase development growth in major mixed-use neighbourhoods and intensification areas in order to ensure a balance of travel demand and transportation capacity. (l) Request to be consulted on the preparation of a new Comprehensive Zoning By-law. (m) Seek assurance that utilization of Section 37 agreements for additional height and density permissions is conducted in a fair and equitable manor with all applicants. (n) Support the continuance of alternative parkland rate of 1.2 ha per 1,000 people. Recommend that the City consider further reducing this parkland dedication rate, either by adjusting the formula, or by applying the legislative options in Section 42.6 of the Planning Act relating to sustainability criteria as being an option for reducing parkland dedication requirements for an application. (o) Encourage Markham to conduct a detailed parkland needs study to understand its cash-in-lieu needs for the future and banking sufficient funds in this regard. Markham should consider collecting cash-in-lieu of parkland at Section 51 values today, as opposed to Section 42 values, in order to obtain sufficient cash-in-lieu to acquire adequate future parkland. (p) Recommend that additional GO stations be identified in Map 2 to accommodate the projected growth and intensification.
62	A & W Food Service of Canada Inc., McDonald’s Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy’s Restaurant of Canada Inc., and Ontario Restaurant Hotel and Motel Associations	<ul style="list-style-type: none"> (a) Concern that drive-through service facility would only be permitted on select arterial roads, which uses such as retail stores, restaurants and other commercial land uses are permitted on any arterial or collector road. (b) Recommend that drive-through service facility should be permitted on collector roads.

	(ORHMA)	(c) Recommend design objectives related to location of drive-through service facility, parking areas and stacking lanes be addressed in Markham's Drive-Through Facilities Design Guidelines.
63	Canadian Fuels Association	(a) Concern with the prohibition of drive-through service facilities to be located on Regional Rapid Transit Corridor as shown on Map 2 – Centres and Corridors and Transit Network (8.13.3.1 a) (b) Concern with the restrictions around location of a vehicle stacking lane.
64	Ontario Trucking Association	Provided a copy of Local Truck Routes: A Guide for Municipal Official for staff's consideration in developing policy as it relates to freight movement needs.
65	Fraser McTavish	(a) Concern with the loss of farmland. (b) Should help remaining farmers.
66	Jeanne Ker-Hornell	Implement stronger rules to preserve heritage communities.
67	Joyce Raymer	Concern with development occurring in the Markham Road and Markham Main Street area.
68	Larry Fung	Concern with traffic particularly along 16 th Avenue, Major Mackenzie Drive and Highway 7.
69	Maria Flores	(a) Maintain the village character and design in Cornell. (b) Ensure that new mixed-use development within neighbourhood residential areas are directed to frontage along Bur Oak, do not exceed low to mid-rise development heights and are designed and buffered to be sensitive to adjacent/existing low rise residential homes located on parallel streets that may back onto the new development. Recommend that Official Plan and Secondary Plan provide clear direction on these matters.
70	Norman Kevilovski	(a) Policy 3.8.1 (j) should make reference to protect and maintain the historic and rural residential character of the hamlets from "obnoxious uses" such as landscaping and paving businesses. (b) Consider permitting additional uses in the hamlets of Locust Hill and Cedar Grove should also be permitted in the Hamlet of Almira.
71	Richard Mason	A swimming pool and aquatic facility should be provided for at the Thornhill Community Centre.
72	Terry Goodwin	(a) Protect existing communities by providing for a proper interface between new intensification and existing communities. (b) Need to address issue of gridlock.
73	Hong Ge	Include reference to seniors as it relates to affordable housing options and street networks.
74	Steve Hanson	Consider including policies that would allow the establishment of a Heritage Committee of Adjustment to ensure more efficient and informed decision-making of applications within Heritage Areas.
75	Sandra Wiles	Clarify if the setbacks to previously approved boundaries (e.g. plans that are registered and zoned) be challenged to provide a vegetation protection zone if a property where to redevelop.
76	Linvest Properties (Cornell) Limited	Clarify if there will be amendments to the secondary plans prior to their inclusion in the Official Plan as Part II.

Carroll, Judy

From: Ken Lee
Sent: October 22, 2012 12:32 AM
To: Carroll, Judy
Cc: Moretti, Carolina
Subject: Written Submission from GCGC for Markham Official Plan Public Meeting
Attachments: GCGC letter to Town and Region.pdf; PGC letter to Region June 2010 rev.pdf; APPEAL_LETTER_YORK_ROPA 3 FINAL OCT 15 10.pdf; Ack and receipt from Region Oct 20 10.pdf

4 attachments to his email

Hi Ms. Carroll,

I received the Notice of Public Meeting for Markham's New Official Plan and I would like to submit the following comments on behalf of our church, the Grace Chinese Gospel Church. Please regard this as our official written submission for the Markham Official Plan process. We would like to request that the proposed new urban boundary be extended east to McCowan and include our property at 5172 Major Mackenzie Drive East for future church building. Thanks.

Dear Mayor and Members of Council,

In the last twenty years, the Grace Chinese Gospel Church (GCGC) has been serving the community of Toronto in running nursery school, summer camp, after school programs, EQ programs, youth and senior programs at North York location. We also get the financial support from the federal, provincial and municipal governments to serve the community. We started the Peoples Gospel Church (PGC) in 2005 serving the community of Markham. In 2007, we acquired a tract of land at 5172 Major Mackenzie Drive (at the north-west corner of Major Mackenzie and McCowan Avenue) as the permanent building site for PGC to expand our service to the growing community.

The subject property is immediately east of the proposed expanded 'Urban Area' along Major Mackenzie Drive East, which follows the western edge of the valley corridor associated with Robinson Creek. We have worked closely with Councillor Moretti and got her support in helping us build a church at the property. Our members had sent letters to and met with Markham City Councillors and urged them to include our land into the new urban boundary of the Markham Official Plan.

We were disappointed that the amendment to the Regional Official Plan (ROPA 3) had not included our land in the urban boundary. We have submitted an appeal to the Ontario Municipal Board (OMB) and requested to include our land inside the urban boundary. We were also disappointed that our property is not included in proposed urban boundary in Map 3 - Land Use, and Map 11 - Urban Area and Built-Up Area, of the Draft Markham Official Plan. We understand the City of Markham Planning Department proposed the urban boundary based on land budget. However, we hope that the City could also consider the public opinion and the needs of the Markham community. We sincerely ask the Markham Council to include our land in the urban area expansion of the new official plan so that we could build a church at the site to serve the community.

For your reference, I have attached the letters we sent to Markham Planning Director, York Region Planning Department, and the OMB Appeal and acknowledgement.

Thank you for your consideration.

Sincerely,

Ken Lee
Chairman, PGC Building Committee
Grace Chinese Gospel Church



Gatzios Planning + Development Consultants Inc.

April 11, 2010

File No: 65MA-1011

Ms. Valerie Shuttleworth, Director of Planning & Urban Design
Development Services Commission

Town of Markham

101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

and to:

Ms. Barbara Jeffrey, Manager Land Use Policy & Environment
Planning and Development Services Department

Region of York

17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

**Regarding: GRACE CHINESE GOSPEL CHURCH OF NORTH YORK PROPERTY
PROPOSED NEW 'PEOPLES GOSPEL CHURCH' CHURCH FACILITY
5172 MAJOR MACKENZIE DRIVE EAST, WEST OF McCOWAN ROAD
(NORTH SIDE OF MAJOR MACKENZIE DRIVE EAST)
TOWN OF MARKHAM**

Dear Ms. Shuttleworth and Ms. Jeffrey:

I am writing on behalf of the landowner, the Grace Chinese Gospel Church of North York (the "Church") as planning consultant for their property at the above-noted address in the Town of Markham.

The Church's intention is to obtain the appropriate land use designation/s to permit a new church facility on this property. To this end, our request to both the Town and the Region at this point in time is to include this property in an Urban Area expansion for specifically Institutional land uses.

SITE DESCRIPTION

The site is approximately 13 acres with frontage on the north side of Major Mackenzie, west of McCowan Road, and contains environmental features associated with Robinson Creek which sits at the property's western edge. An Airphoto location map is attached for reference.

The designation in the Town of Markham's current Official Plan is 'Agriculture A1', and as you know the property sits immediately north of the current urban boundary situated on Major Mackenzie Drive.

Attached is a recently published 'Figure 3 – Council Attachment 1' to the March 25, 2010 Regional Staff Report entitled "PRELIMINARY URBAN EXPANSION AREAS IN THE TOWN OF EAST GWILLIMBURY, CITY OF VAUGHAN AND TOWN OF MARKHAM". We note that the subject property is immediately east of the proposed expanded 'Urban Area' along Major Mackenzie Drive East, which at this time follows the western edge of the valley corridor associated with Robinson Creek.

CHURCH HISTORY AND THE NEED FOR A NEW CHURCH FACILITY

The Grace Chinese Gospel Church of North York is a member of the Associated Gospel Churches (AGC) representing over 140 churches, congregations and ministries in Canada. The Church has twenty years of history partnering with municipal, provincial and federal governments in providing services to the community, in addition to the fundamental religious services, such as nursery schools, ESL classes, student enrichment and youth leadership programs, summer camp, coordination and partnering with Hong Fook Mental Health Centre, seniors home visiting programs, EQ parenting courses, etc.

In 2005, the Church started the Peoples Gospel Church (PGC) in Markham to meet the wide range of needs in this growing community, and currently rents space in the Bur Oak Secondary School (near Major Mackenzie Drive and McCowan Road). In the last five years, the number of Markham residents accessing the Church and its services has quickly grown and the rented school space can no longer support the growing needs of this rapidly expanding church community.

In early 2007, the Church purchased the subject property with the hopes that they would be able to obtain the appropriate permissions to construct a new church and related uses facility.

BASIS OF INCLUSION REQUEST

It is our request of the Town and the Region to consider the inclusion of this parcel of land in any Urban Area expansion undertaken in the Town of Markham specifically for the purposes of Institutional land uses, in order to permit a church and related facilities and services on the developable portion of this property.

We note from the March 25, 2010 Region of York staff report that the Town of Markham is expected to require an additional 682 ha of Community Lands in order to accommodate projected growth to the year 2031, and that FIGURE 3 from that staff

report illustrates the location that is currently being contemplated for this community growth in the Town.

We understand that the amount of land area being estimated for 'Community Lands' includes not only residential land uses, but also associated land uses such as Institutional lands to be used for churches and associated facilities, and that it is intended that when the appropriate Official Plan Amendment/s to the Town Official Plan are brought forward, the Community Lands will be detailed with a variety of land use designations, potentially including churches, institutional or places of worship, among others.

As you can appreciate, given the demand for residential development in the current Urban Area in the Town of Markham, and given that new places of worship are not at this time pre-identified or pre-zoned, it is often difficult for Church organizations to actually locate, obtain and indeed afford a parcel otherwise destined for residential development in order to accommodate a new church and related facilities.

Inclusion of this property in an Urban Area expansion would afford the opportunity for a new church and associated facilities to be established on this site, subject of course to the additional reports, applications and planning approvals that would be necessary in order to proceed to development. Given the location of the site on an arterial road, beside the Robinson Creek which would form a natural edge and setting to the Institutional uses, adjacent to the potential new residential development that may take place west of the valleylands, and also of course immediately north of the current urban development in Markham, this site could represent an excellent location for a new church and related facilities.

We are hopeful that the Region and the Town will consider this request for inclusion for a new Institutional facility, and will facilitate the development by including these lands in any future Urban Area expansion. The Church is aware that they may file their own OPA's to the Town and to the Region in order to pursue the appropriate land use designations independent of the current growth management exercise currently underway, however it is our hope that working with the Region and the Town through these current municipal processes would be the most advantageous for the Church, the Town and the Region.

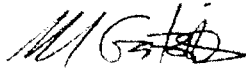
We would be pleased to discuss any aspect of this submission with you, and will be contacting each of your offices shortly to set up a meeting to investigate opportunities for inclusion of this site in an urban land use designation.

In the meantime, would you kindly ensure that we are provided with notification of any Regional or Town meetings, reports or consultations regarding potential urban area expansions or places of worship or related matters.

Thank you very much for your attention to this matter.

Sincerely,

Gatzios Planning + Development Consultants Inc.

A handwritten signature in black ink, appearing to read 'M. Gatzios', with a stylized flourish at the end.

Maria Gatzios, MCIP RPP

Copy to: - Mr. Ken Lee & Mr. K.K. Choong, GCG Church of North York
 - Ward 4 Councillor Carolina Moretti

Request for Inclusion in Urban Area

The subject property is immediately east of the proposed expanded 'Urban Area' along Major Mackenzie Drive East, which follows the western edge of the valley corridor associated with Robinson Creek.

It is the intention of the Church to obtain the appropriate land use designation/s to permit a new church facility on this property. To this end, our request to the Town and the Region is to include this property in an Urban Area expansion for specifically Institutional Land Uses.

As you can appreciate, given the demand for residential development in the current Urban Area in the Town of Markham, and given that new places of worship are not at this time pre-identified or pre-zoned, it is often difficult for Church organizations to actually locate, obtain and indeed afford a parcel otherwise destined for residential development in order to accommodate a new church and related facilities.

Inclusion of this property in an Urban Area expansion would afford the opportunity for a new church and associated facilities to be established on this site, subject of course to the additional reports, applications and planning approvals that would be necessary in order to proceed to development.

We are hopeful that the Region and the Town will consider this request for inclusion for a new Institutional facility, and will facilitate the development by including these lands in any future Urban Area expansion.

We would be pleased to discuss any aspect of this submission with you. Thank you very much for your attention to this matter.

Sincerely,

Gatzios Planning + Development Consultants Inc.



Jeff Greene, MCIP RPP

Copy to: Mr. Ken Lee & Mr. K.K. Choong, GCG Church of North York



Received June 16, 2010

Gatzios Planning + Development Consultants Inc.

June 16, 2010

File No: 65MA-1011

Ms. Barbara Jeffrey, Manager Land Use Policy & Environment
Planning and Development Services Department
Region of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

**Regarding: YORK REGION ROPA 3 – MARKHAM URBAN BOUNDARY EXPANSION
GRACE CHINESE GOSPEL CHURCH OF NORTH YORK PROPERTY
PROPOSED NEW 'PEOPLES GOSPEL CHURCH' CHURCH FACILITY
5172 MAJOR MACKENZIE DRIVE EAST, WEST OF McCOWAN ROAD
(NORTH SIDE OF MAJOR MACKENZIE DRIVE EAST)
TOWN OF MARKHAM**

Dear Ms. Jeffrey:

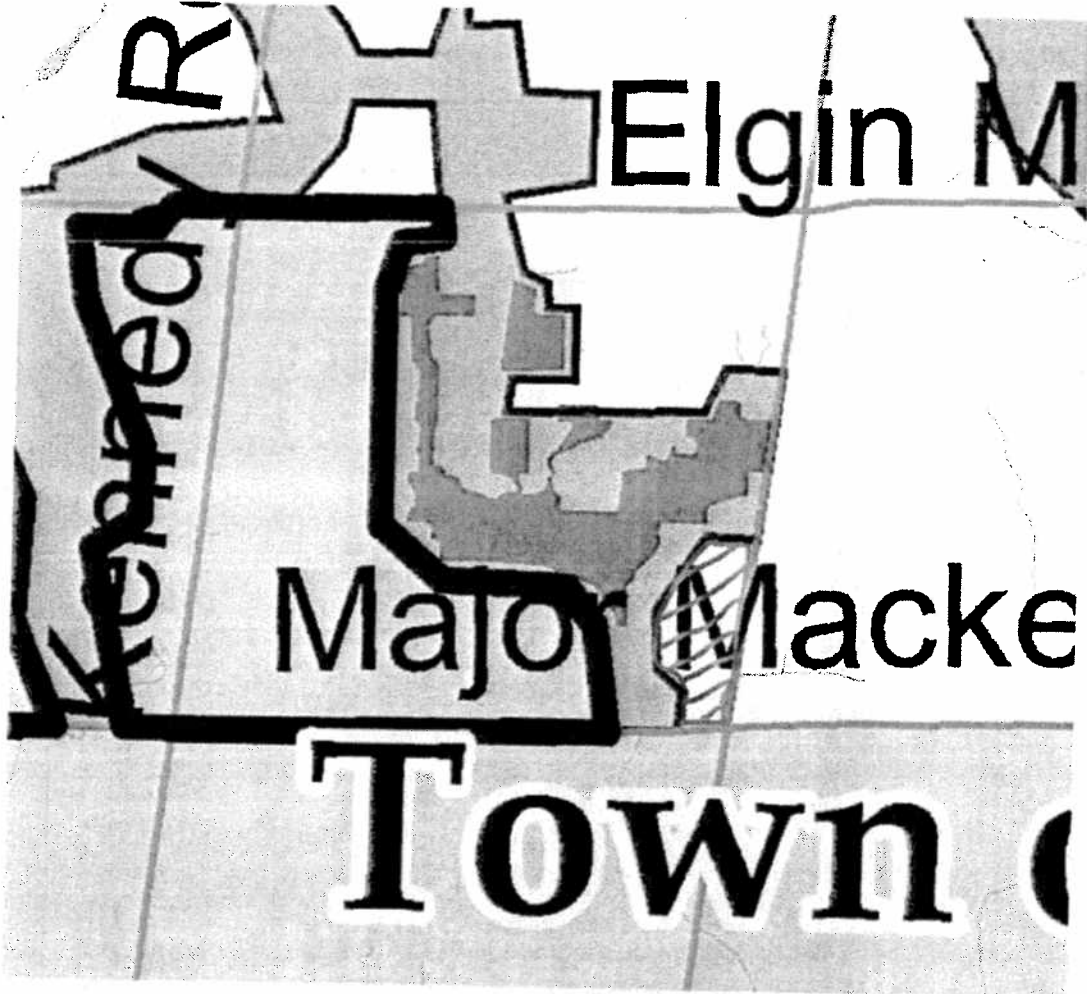
As you may be aware, we are the planning consultant for the Grace Chinese Gospel Church of North York (the "Church"), the owners of the above captioned lands in the Town of Markham.

Further to our letter dated April 11, 2010, we have reviewed the draft amendment to the Regional Official Plan (ROPA 3) re the proposed Town of Markham urban boundary expansion and offer the following comments.

The Region's staff report dated June 16, 2010 states that Markham Council adopted the recommended growth alternative to 2031 on May 11, 2010. However, we understand that the size and location of the Town's proposed urban boundary expansion was only adopted by Markham Council as a strategy direction to staff, and did not establish actually confirm a specific urban expansion location or details.

We understand from Markham staff that the Town's Official Plan Review process is ongoing and it is their intention to identify the urban expansion area after additional public consultation and when their new Official Plan is finalized and adopted. Based on this, it is our opinion that the exact size and location of ROPA 3 should await the Town's Official Plan process.

APPENDIX 4
AREA SUBJECT TO APPEAL
ON FIGURES 1 TO 9 OF ROPA NO. 3



401
DATE 2010-10-08
Y Y Y Y M M D D
PAY TO THE ORDER OF Ontario Municipality of York \$ 455 -
100 DOLLARS

ROYAL BANK OF CANADA
21 BARR STREET
MARKHAM ON L3R 9V7

MEMO ROPAS Appeal for GC&NY Q. Lee

⑆101⑆ ⑆05842⑆003⑆505⑆433⑆3⑆

CANADIAN DOLLAR BANK DRAFT - TRAITE EN DOLLAR CANADIEN 97991319 9-416

Royal Bank of Canada
Banque Royale du Canada
9231 WOODBINE AVE
MARKHAM, ON

DATE 2010 10 08

PAY TO THE ORDER OF MINISTER OF FINANCE, PROVINCE OF ON \$125.00

EXACTLY \$125.00

CANADIAN DOLLARS CANADIENS

RE/SUBJ

PURCHASER NAME _____ AUTHORIZED SIGNATURE / SIGNATURE AUTORISEE _____
PURCHASER ADDRESS _____ COUNTERSIGNED / CONTRESIGNE _____
Q. Lee

⑆97991319⑆ ⑆05842⑆003⑆505⑆433⑆3⑆



17250 YONGE STREET, BOX 147, NEWMARKET, ONTARIO L3Y 6Z1

RECEIPT NO.
CR 110843

DATE
10 10 18
Y M D

CASH
CHEQUE
OTHER

RECEIVED BY: J. Bidley
APPROVED BY: _____

AMOUNT RECEIVED: \$455.00
RECEIVED FROM: Jessie Chan Kealpe
22 Burr Crescent
Markham Ontario
L3R 9B7

G.S.T. #R124761123

REFERENCE: ROPA3 - Appeal Grace Church of North York

AMOUNT	GA CODE	DESCRIPTION
<u>\$455.00</u>	<u>75020-01-7050-68310</u>	
	8501501	G.S.T.
	8513001	P.S.T.

FS9-99

WHITE - CUSTOMER PINK - DEPARTMENT YELLOW - FINANCE



Planning and Development Services Department
Long Range and Strategic Planning Branch

October 20, 2010

Re: Appeal of Regional Official Plan Amendment 3: Town of Markham Urban Expansion
Submission Number: D05.2009.003.1.014
Richard R. Arblaster Barrister & Solicitor (on behalf of Grace Chinese Gospel Church of North York)

Dear Mr. Richard Arblaster:

We have received your appeal letter dated October 15, 2010 regarding Amendment 3 to the York Region Official Plan – December 2009, for an urban expansion in the Town of Markham. Also received were a cheque in the amount of \$125 for the OMB fees and a cheque in the amount of \$455 to cover the Region of York processing fees. Your receipt for the Region of York processing fees is attached.

The last date for appeal of this Amendment is October 18, 2010, after which the record will be forwarded to the Ontario Municipal Board as required by the *Planning Act*.

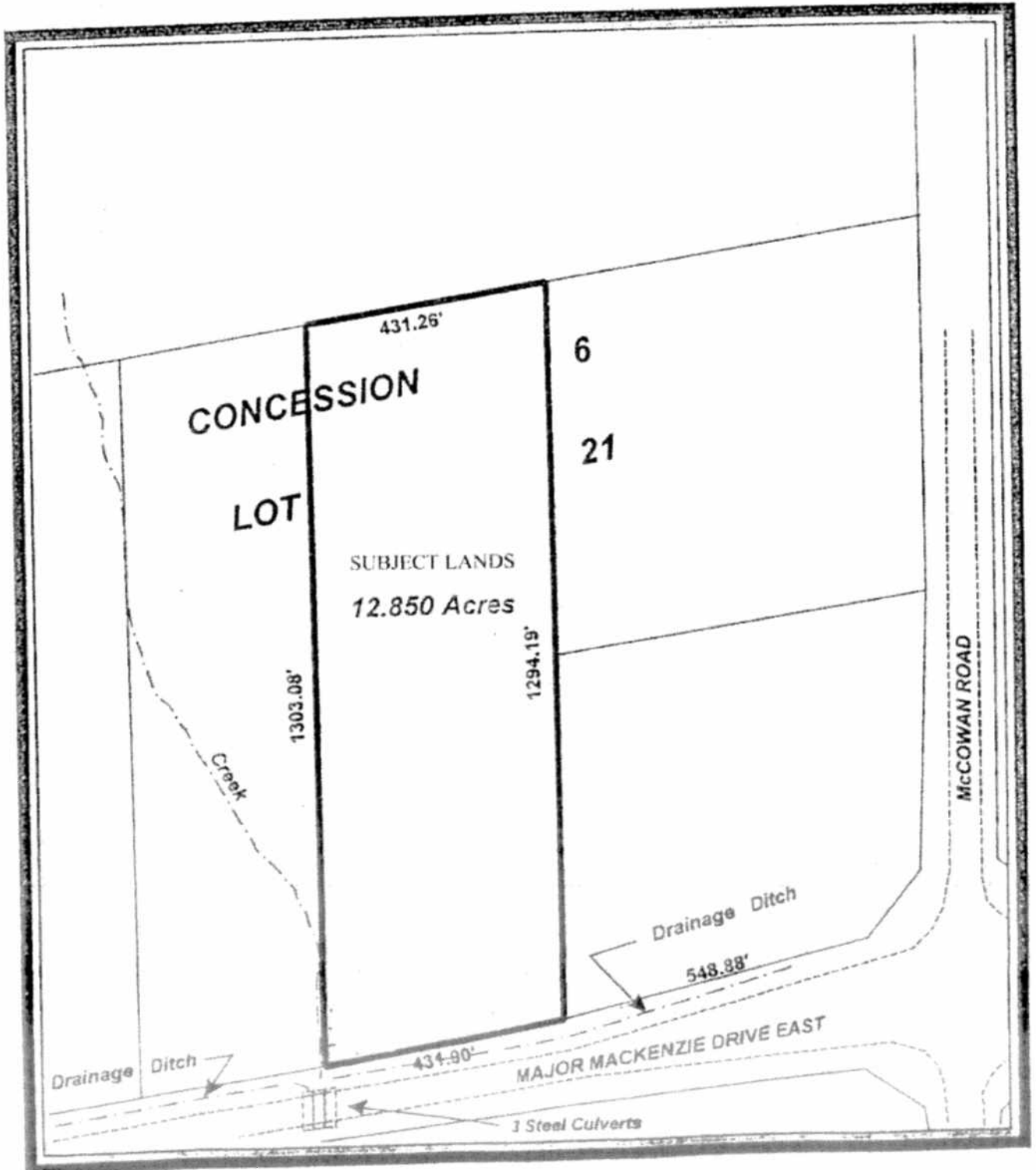
Should you have any questions, please call Barbara Jeffrey, Manager of Land Use Policy and Environment (905-830-4444 x1526; barbara.jeffrey@york.ca) or Trish Elliott, Planner, (905-830-4444 x 1528; trish.elliott@york.ca).

Sincerely,

A handwritten signature in cursive script that reads "JB Waller".

John B. Waller, MCIP, RPP
Director of Long Range and Strategic Planning

APPENDIX I
SUBJECT LANDS



Enclosed is a bank draft in the amount of \$125.00 in payment of the appeal fee prescribed by O. Reg. 888, payable to the Minister of Finance of Ontario, and a cheque in the amount of \$455.00 in payment of the Regions 'record preparation' fee. The latter payment is made under protest as it is not considered to be an authorized charge under the Planning Act.

Yours Very Truly,

Richard R. Arblaster

Copy to: Grace Chinese Gospel Church of North York
Gatzios Planning + Development Consultants Inc.

In early 2007, the Church purchased the subject lands with the hopes that they would be able to obtain the appropriate permissions to construct a new church and related uses facility.

During the course of the process leading up to the adoption of ROPA 3 the Church, through its planning consultant, made representations to the Region which called for the inclusion of the subject lands within the urban boundary. A copy of the written representations, dated April 11, 2010 and June 16, 2010 are attached as Appendices 2 and 3, respectively.

Within the block bounded by Major Mackenzie Drive on the south, Kennedy Road on the west, Elgin Mills Drive on the north, and McCowan Road on the east, ROPA 3 proposes to expand the urban boundary to include all of the area west of the portion of the block within the Provincial Greenbelt. This excludes the subject property.

The Church considers the proposed urban boundary expansion as proposed in ROPA 3 not large enough to accommodate the projected population and employment growth to 2031. We note that the Region's Land Budget (March 2010) determined that the Town of Markham requires an urban boundary expansion of 1,010 hectares, which formed the basis for the size of the ROPA 3 proposed expansion. The Church believes that 1,010 hectares is too small to accommodate growth to 2031. Sufficient area must be designated now to accommodate residential and employment growth and associated uses, including places of worship. Otherwise, the intent and objectives of good land use planning will be thwarted and there will be repeated need to readdress questions which can and should be resolved by currently establishing a new urban boundary that will reliably provide for the needed development which will arise in the next twenty years.

In reviewing ROPA 3 it is noted Figures 1 to 9 make amendments to Maps 1 to 6, 8, 11, and 12 of the new Regional Official Plan, as modified and approved by the Minister of Municipal Affairs and Housing on September 7, 2010. The within appeal applies to that portion of these Figures between McCowan Road, east and south of the Greenbelt boundary. This area is outlined and hatched in red on the attached Appendix 4. This area is properly designated to be within the expanded urban area and all figures should be modified accordingly.

The Church also considers that notwithstanding the ultimately approved size of the proposed urban boundary expansion, the location of the urban boundary expansion in the Town of Markham as proposed by ROPA 3 is inappropriate and that, for the reasons set out herein and other such reasons that may be provided, the urban expansion area should include the northwest corner of Major Mackenzie Drive East and McCowan Road, which includes the Church property.

RICHARD R. ARBLASTER

BARRISTER & SOLICITOR

OF THE ONTARIO BAR and also a Solicitor (non-practising) of England & Wales

Suite 200
7100 Woodbine Avenue
Markham, Ontario
L3R 5J2
Tel: 416-410-8298
Fax: 416-410-8298
Email: rick@arblasterlaw.com
Web: www.arblasterlaw.com

DELIVERED

October 15, 2010

The Regional Municipality of York
17250 Yonge Street
4th Floor
Newmarket, ON
L3Y 6Z1

Attention: Denis Kelly, Regional Clerk

**Re: Regional Municipality of York Official Plan Amendment No. 3
Appeal under Section 17 (24) of the Planning Act
Grace Chinese Gospel Church of North York**

I am the lawyer for Grace Chinese Gospel Church of North York, the owner of 12.85 +/- acres of land in the Town of Markham located on the north side of Major Mackenzie Drive East, approximately 550 feet west of McCowan Road, municipally known as 5172 Major Mackenzie Drive East (the 'subject lands'). The boundaries of the subject lands are shown outlined in black on the attached Appendix 1.

The purpose of this letter is to lodge Grace Chinese Gospel Church of North York's appeal to Regional Official Plan Amendment No. 3 (ROPA 3).

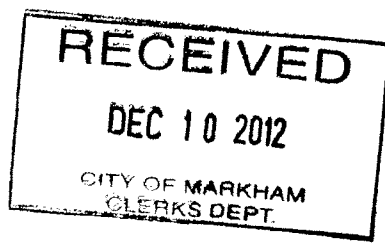
The Grace Chinese Gospel Church of North York (the 'Church') is a member of the Associated Gospel Churches (AGC) representing over 140 churches, congregations and ministries in Canada. The Church has twenty years of history partnering with municipal, provincial and federal governments in providing services to the community, in addition to the fundamental religious services, such as nursery schools, ESL classes, student enrichment and youth leadership programs, summer camp, coordination and partnering with Hong Fook Mental Health Centre, seniors home visiting programs, and EQ parenting courses.

In 2005, the Church started the Peoples Gospel Church (PGC) in Markham to meet the wide range of needs in this growing community, and currently rents space in the Bur Oak Secondary School (near Major Mackenzie Drive and McCowan Road). In the last five years, the number of Markham residents accessing the Church and its services has quickly grown and the rented school space can no longer support the growing needs of this rapidly expanding church community.

RICHARD R. ARBLASTER

Suite 200, 7100 Woodbine Avenue, Markham, Ontario, L3R 5J2

The Council
Town of Markham



RE: Proposed Official Plan

For the past 55 years I have been involved in Markham Real Estate and have directly assisted in the development of Sherwood Park (the first sewerred community of Markham) under Waldon Developments Ltd., and Markville Shopping Centre. Our company, (Mihorean & Dahl-Jensen) was the Exclusive Agent for The Toronto Industrial of the Person Laidlaw properties, sold 90% of the Agricultural Lands to Denison Mines (Romandale Farms), 90% of the Stollery farms (Angus Glen Golf Course) and was the exclusive agent for R. Person Realty -1 acre Estate Lots.

I have observed many interesting real estate developments in Markham, some good and some not so good.

I believe it was a mistake to zone the lands from Steeles Avenue north on the west side of Highway 48 to residential even though the Planners, Barnhardt & Associates, had recommended an industrial use.

I am enclosing a topographical map indication what I think should be done to maintain an industrial balance, which is needed for a good tax base and providing a good, well located industrial base and an industrial base which continue the industrial area north of Markham to the Stouffville Townline.

A high class industrial area would be an asset to a good residential area to the west of the industrial area. The industrial would give a buffer area to the proposed International Airport as presently envisaged. The residential area and industrial area would compliment each other and keep the traffic from gridlock through Markham.

Rouge Valley Parkland should, of course, be reserved from both the industrial and residential areas, but should be confined to high water marks on stream areas. Small Parkettes would be adequate since the National Park will take care of other uses.

No landowners should be required to deed more than 5% of his holdings for parkland purposes. It may be prudent to amalgamate several small acreages to make a better and larger park.

I do not think it wise to use any Markham Lands for overnight camping. Markham Fair Grounds tried this about several years ago and found they had to have several days of cleanup of the liquid bottles and cans and general refuse. Markham Fair also found they had to replace about 1,000 feet of my fencing which the campers had torn down and used for firewood.

We hope that some of these ideas are appropriate and might be considered in the discussions for the Official Plan.

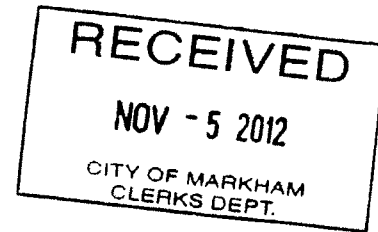
Thank you;

Philip Mihorean, ACCI
10983 McCowan Road
Markham, Ontario

P.S. The ultimate question is: "Who is going to pay for the downgraded land?" The price has already been established (by The City of Markham) at \$150,000.00 to \$500,000.00 per acre.

April 7, 2011

Ms. Kitty Bovington
Clerks Office
Town of Markham



RE: Official Plan Review

I have been a resident of Markham for all of my adult years and for the last 55 years have resided at 10983 McCowan Road – Lot 27 Concession 7, Markham.

I have been a Realtor for 55 years and an Accredited Appraiser, (AACI) for 25 years and have been instrumental in bringing many well known individuals and businesses to Markham. – *A partial list is below.

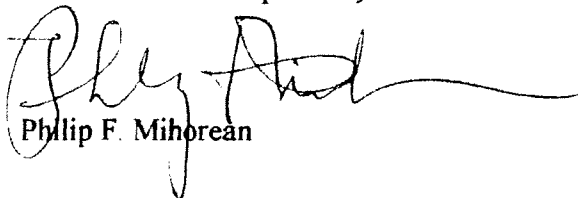
I and several of my neighbours are concerned about the Official Plan Review and would like to be kept informed of any changes or proposals which could affect land value.

The indicated plan for the Rouge River Conservation Area appears to be over zealous and extends westerly far beyond the high water mark of Hurricane Hazel limits.

A designation of over five acres of our land would seem unreasonable as the Lewis Brothers have farmed this area with grain crops for over forty years.

We believe that the area between 18th Avenue and 19th Avenue should have an appropriate land use in keeping with normal growth patterns and not restricted to long periods of inactivity. The area encompasses only about five or six township lots. Farm use in this area is now non-existent.

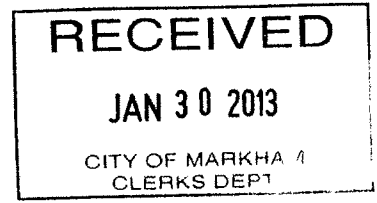
All of which is Respectfully Submitted


Philip F. Mihorean

- *Markville Shopping Mall (JDS Developments)
- Sherwood Park 300 Lot Subdivision (Wal-Don Investments)
- Laidlaw Industrial Subdivision
- Denison Mines (Industrial – Steeles Avenue & Woodbine)
- Romandale Farms (800+- acres)
- Cachet Country Club (Richard Person)
- Box Grove & Rouge Valley Subdivision (Richard Person)
- Angus Glen Farms & Golf Club (Stollery) (800 Acres)
- Varley Village Subdivision (Sciberras – John Grant)

January 30, 2013

The Corporation of the City of Markham
101 Town Centre Boulevard
Markham, ON
L3R 9W3



2012 Official Plan Consultation

The following four property owners

- Sylvia and Jessie Leffering, 10144 McCowan Road**
- Maria Frocione, 10192 McCowan Road**
- Frank and Elizabeth Markovits, 10228 McCowan Road**
- Lorne and Carol Smith, 10292 McCowan Road**

respectfully request that their properties be incorporated into the new urban boundary as proposed in the new City of Markham Official Plan documents currently under discussion.

The current proposal uses the Robinson Creek as the boundary and the four above properties are adjacent to the same boundary. These four properties are currently in active agriculture but not sustainable for ongoing farming. It becomes increasingly difficult to move any large farm equipment along McCowan Road or Major Mackenzie Drive. It makes little sense to leave these small parcels of land within the greenbelt with an uneconomical and unsustainable use.

We also support the Peoples Gospel Church in their request for inclusion within the new urban boundary of the plan.

The inclusion of these properties in the new urban boundary would provide an opportunity to open a road between Kennedy and McCowan Roads to facilitate the flow of traffic between these major arteries as is common in all recent development areas.

We respectfully request that the urban boundary be adjusted eastward to McCowan Road to include these four properties.

J. Leffering
J. Leffering
 Sylvia and
 Jessie Leffering

Maria Frocione
 Maria Frocione

Elizabeth Markovits
 Elizabeth Markovits

Lorne P. Smith
 Lorne and
 Carol Smith

Frank Markovits
10228 McCowan Road
Markham, Ontario
L3P 3J3

TO: THE CORPORATION OF THE TOWN OF MARKHAM
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Wednesday, November 21, 2012

To the Council and Town Planners for The City of Markham,

On March 12, 2010, we as a block of 4 family farm property owners at the north west side of McCowan Road, north of Major MacKenzie— namely Frank Markovits, Lorne Smith, Sylvia and Jessie Leffering, and Maria Frocione – wrote to you to express our concern that the City of Markham is planning development of lands immediately adjacent to our properties, yet has excluded our lands from the development plan. Our letter requested that you include our lands in the development area.

The newly proposed Markham Growth Plan still excludes our properties from the development area, despite the fact that we are immediately adjacent to currently developed city lands. Your plan includes tremendous population and business growth, and high traffic rapid transit along Major MacKenzie, which has already had a detrimental effect on our family properties. We all raised our families in these homes when it was a rural, farming area, but the Town decided to change that, not us. Also, we have noted that your plan includes the development of land north west of us - land that is currently much farther from urban development.

We are disappointed that we have not received a response to our pleas from you, and we have received no explanation of how you believe that our lands will realistically continue as viable farm properties within an already developed urban area. We are concerned that we are being neglected because we are retired, small land owners. No one from Markham Council or City planning offices has given us a realistic explanation of your reasoned arguments for proposing that farming will continue on our properties. We know that it is not realistic to maintain these properties as future family farms (urban encroachment combined with inability to make a living on such small farms are initial concerns), and the lack of feedback from you leads us to conclude that you also know that sustainable farming is not viable on our small properties at the corner of a busy urban area.

We would be very pleased to hear from your office about how the City Growth Plan will affect our properties and livelihoods. We look forward to your response.

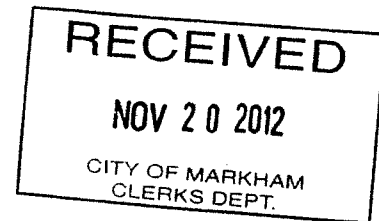
Sincerely,



Frank Markovits

Sent via Registered mail November 13, 2012

November 13, 2012



Kitty Bavington, Clerks Department
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

To Kitty Bavington:

RE: Concerns with Official Plan - 6080 Major Mackenzie Drive E, Markham, Ontario, Con 8 PT LT21

I am a resident of the City of Markham and have owned and lived at 6080 Major Mackenzie Drive E, Con 8 PT LT21 since August 1994. I attended the November 6, 2012 public meeting and gained knowledge of the new Official Plan for the City of Markham. After studying the new Official Plan and how it affects me and my family, I have the following concerns.

Over the years the surrounding land use has changed dramatically and thus my property is now surrounded by Commercial land use. I am opposed to the proposed Official Plan land use map designation of "Countryside" allocated to my property in the new Official Plan. I would therefore recommend that the city consider changing my land use designation from Countryside to Commercial. A commercial use is far more harmonious when considering the immediate land uses.

I also oppose the proposed Mount Joy Secondary Plans as indicated in the proposed Official Plan. I feel that my property should be included in the proposed Mount Joy Secondary Plan and recognized as a commercial designation. I am also very concerned with the current and future disturbance based on the size of the commercial development that will soon unfold across the street from my home.

Can you kindly inform me of any appeal options that are available to me and the steps that would be required?

I would be very happy to meet with you to further discuss my concerns.

Sincerely,

Two handwritten signatures in black ink. The first signature is on the left and the second is on the right, overlapping slightly.

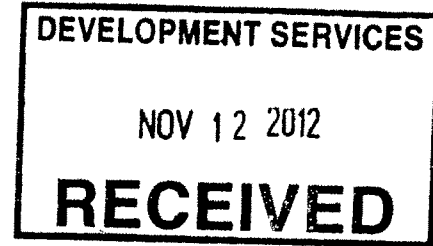
Yvonne Geverink and Dennis Marengour (Spouse)
6080 Major Mackenzie Drive E
Markham, Ontario L3P 3J3

November 9, 2012

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 07-1717

Attention: Marg Wouters, *MCIP, RPP*,
Senior Manager, Policy and Research



Dear Ms. Wouters,

**RE: North Markham Landowners Group
Preliminary Comments on the City of Markham Draft Official Plan - Part 1**

Malone Given Parsons Ltd., on behalf of the North Markham Landowners Group (NMLG), is pleased to submit comments on the September 2012 draft Markham Official Plan. NMLG is a group of developers and landowners that own or control approximately 712 hectares (17 percent) of land in north Markham, generally referred to as the Whitebelt. The attached map, *North Markham Landowners Group: Participating Landowners*, identifies the participants in NMLG, and the locations of their properties.

The City of Markham's draft Official Plan - Part 1 is the culmination of extensive study and thoughtful decision-making by the City. The significant effort by City Staff is clearly evident in the quality of the draft document now before the public for review.

Most importantly, it was time for an Official Plan of this quality and substance. A lot has happened since the last Markham Official Plan was developed in 1987, and subsequently consolidated in 2005. Foundational legislation, including the *Provincial Policy Statement (2005)*, the *Greenbelt Act, 2005*, the *Greenbelt Plan (2005)*, the *Places to Grow Act, 2005*, and *Growth Plan for the Greater Golden Horseshoe 2006*, have permeated all aspects of, and have required fundamental changes to, land use planning in Ontario. Development of a new City of Markham Official Plan is fully warranted.

At this time, we have five comments on the draft Official Plan, and request the opportunity to discuss these with you and City Staff. Additional comments may be provided after we have had

the opportunity to discuss the draft Official Plan in detail with our clients.

1. Field studies of the natural heritage system, completed on behalf of NMLG, do not fully support the proposed Markham *Greenway System* in North Markham.

Consultants for NMLG (Savanta Inc., R.J. Burnside) have completed almost 5 years of field studies and analyses of the natural heritage systems and the hydrogeology in North Markham. Their work demonstrates that there is justification for a locally significant natural heritage system extending beyond the Oak Ridges Moraine and the provincial Greenbelt boundaries.

Their work also points to a locally significant natural heritage system that is smaller than that proposed in the *Draft Official Plan Section 3* and on *Map 4: Greenway System*. Further, the *Core Linkage-Enhancements* shown on NMLG lands are not supported based on science and field observations.

Draft Policies 3.1.2.5 through 3.1.2.9 address securing lands comprising the Natural Heritage Network, with mention of securement at no cost to Markham, or through the Markham Environmental Land Securement Fund. Policy 3.1.2.5 specifically identifies that conveyance of lands within the Natural Heritage Network shall not be considered as contributing to parkland dedication requirements.

As part of the review process for a new Official Plan, NMLG request that the City define and distribute detailed securement policies and practices for considerations by landowners.

With respect to Policy 3.1.2.5, there may be opportunities where the lands conveyed should legitimately receive credit toward to parkland dedication requirements. In recent meetings with the City on other projects, municipal officials have mentioned the possibility of parkland credits.

The new Official Plan will bring the *Markham Small Streams Classification System and Management Protocol* (MSSP) into force for planning approvals. NMLG believe that the aspirations of the MSSP are inconsistent and incompatible with the scale of growth, the unit and population and job densities required by the York Region Official Plan and this draft Official Plan, and the drive for a compact form of development for the future urban areas in North Markham.

With the need to respect provincial, regional and locally significant natural heritage systems, and the legislated requirement to achieve densities of 70 persons and jobs per hectare, and 20 residential units per hectare in new community areas, the capacity to also protect small stream features is limited if not negligible. It is doubtful that development in new community areas

could achieve the required densities and yet still have the small stream features remain viable on those lands.

We request the opportunity to discuss the findings of the NMLG field observations and the impacts of density in North Markham with your staff.

2. The intent of establishing *Countryside Area* requires clarification.

It is acknowledged that significant development will occur in North Markham by 2031. What must not be overlooked though is that North Markham will continue to develop beyond 2031. Reference to York Region's land budget analysis and master plan updates, including the traffic zone forecasts, lead to the conclusion that the Markham Whitebelt will be fully developed by 2051.

The draft Official Plan seeks to protect lands in North Markham beyond the settlement area boundary (when adjusted for the ROPA 3 Urban Area boundary expansion), outside of the Oak Ridges Moraine, the provincial Greenbelt, and hamlets for agricultural activities.

NMLG would support the continued use of those lands for agricultural purposes until such time as the lands would be required to accommodate future employment and residential growth. This position is consistent with the Provincial Policy Statement (2005) which seeks to protect prime agriculture for long term uses (PPS Policy 2.3.1) while also recognizing the need to accommodate growth and to permit the conversion of prime agricultural lands to urban uses (PPS Policies 1.1.3.9 and 2.3.5.1).

NMLG would oppose the designation *Countryside Area* if the intent of draft Official Plan *Section 5.2.1 Countryside Agriculture*, and any other associated Official Plan policies and maps, is to protect these lands for agricultural activities in perpetuity. Growth is going to happen in Markham, and it won't all happen through intensification, especially growth beyond 2031.

The Ministry of Infrastructure has recently released *Places to Grow: Proposed Amendment 2 to the Growth Plan for the Greater Golden Horseshoe 2006*. The proposed amendment to the *Growth Plan* revises Schedule 3 and provides growth forecasts for 2036 and 2041. Schedule 3 identifies higher growth for the Greater Toronto and Hamilton (GTAH) area overall, including significant additional growth in population and jobs for York Region. Some of that regional growth will naturally flow to Markham, and through the review and planning approvals process, the need for and scale of additional growth in North Markham will become apparent.

Based on comments received by the City in 2009/2010 during their Growth Management Strategy initiative, NMLG predicts that the Markham farm community would similarly oppose a permanent agricultural designation on their lands. During those sessions, the farm community articulated the realities of agriculture in the GTA/H area and near urban settings, and the limited future for agriculture in Markham outside of the provincial Greenbelt.

NMLG requests the City clarify the intent of the policies and mapping, including Map 9, related to *Countryside Agriculture*, and the *Countryside Area* as shown in the draft Official Plan.

3. The draft Official Plan introduces an additional layer of planning approval for future urban areas which would result in a significant delay in development in North Markham.

Draft Official Plan Section 8.12 Future Urban Area introduces a requirement for the completion and approval of a Conceptual Master Plan prior to granting any development approvals. NMLG supports development of a Conceptual Master Plan for critical infrastructure (water, waste water, arterial and collector roads, stormwater management) in North Markham. The Conceptual Master Plan should not be limited to the *Future Urban Area*, as delineated on Map 1, but should encompass the entirety of the Whitebelt, in recognition that growth will continue after 2031, and that future growth patterns should be aligned with, and not constrain, critical infrastructure that may be required pre- and post-2031. This would be consistent with York Region's transportation and water-waste water master plans that plan beyond 2031.

We acknowledge that the *Planning Act* would not permit lands to be designated beyond 2031, but the Region and the City can at least plan for infrastructure beyond that date.

Beyond conceptual planning for this infrastructure, NMLG is concerned that the other studies and approach to planning as defined in Section 8.12 will result in significant costs and delays in bringing employment and residential lands to market. We consider the 5 year timeline for development of a Conceptual Master Plan and the secondary plans, as mentioned in the Development Services staff report of September 25, 2012 (page 18), to be unrealistically optimistic. We consider a 7 year to 8 year timeline to be more probable.

In his presentation to Development Services Committee on May 8, 2012, Mr. Paul Bottomley, York Region, Long Range Strategic Planning, identified that there is as little as a 5-6 year supply of ground-related housing in Southern York Region, and that it could take 5-8 years to complete all planning approvals for new lands identified as Urban Area in ROPAs 1, 2 and 3. This points to the possibility that there could be period in which no new ground-related housing is available

in Markham. An analysis by Malone Given Parsons for NMLG supports the Region's comments and identifies a 1-2 year gap in the availability of ground-related housing associated with each secondary plan process. In our opinion, with the introduction of development of a Conceptual Master Plan, as defined by draft Official Plan Section 8.12, there is the potential for an even longer period of time when no new ground-related housing would be available in Markham.

NMLG requests that the development of a Conceptual Master Plan encompass all of the North Markham area and be limited to required and future critical infrastructure only. Further, in the interests of ensuring the availability of ground-related housing, we request that development of secondary plans proceed concurrently with development of the Conceptual Master Plan for North Markham.

4. The new Markham Official Plan must address comprehensive planning for retail and especially Major Retail.

The draft Official Plan, in Section 8.3, seeks to integrate retail into Mixed Use areas and to promote the creation of complete communities. NMLG, in general, supports the intent and policies of Section 8.3 Mixed Use. However, we are concerned that the draft Official Plan does not properly address Major Retail as a distinct type of use and land requirement.

The York Region January 2009 and March 2010 *Land Budget* reports identified that 120 hectares of lands would be required for new Major Retail in Markham to satisfy the expected population growth to 2031. The *Land Budget* reports direct 75 hectares of Major Retail to the Future Urban Area, and 45 hectares to the current Urban Area. In the context of the *Land Budget* reports, Major Retail is defined as a 500,000 square foot indoor shopping centre or a 600,000 square foot power centre (a conglomeration of large format retailers). Each Major Retail facility on this scale requires a nominal 20-25 hectare parcel of land. NMLG supports the Region's definition of Major Retail and its estimate of lands required to accommodate it through 2031. Major Retail is a distinct retail activity that often acts as a regional retail hub, attracting shoppers from across the Region.

Draft Official Plan policy 8.4.1.2 states that future large scale retail development will be directed to Mixed Use areas. Major Retail, on the scale defined by York Region, is not compatible with, nor can it be reasonably integrated with, Mixed Use areas.

The draft Markham Official Plan defines Major Retail as big box stores, retail warehouses and shopping centres with individual premises exceeding 1,000 square metres of gross floor area and/or combined gross floor area of retail exceeding 3,000 square metres. This definition is not

representative of true Major Retail. It needs to be revised to be consistent with York Region's *Land Budget* report.

New Major Retail, at the scale of indoor shopping centres and power centres, will be needed in Markham. The new Official Plan must acknowledge and support this need with Official Plan policies that comprehensive plan for Major Retail.

5. The vision for and viability of employment lands in North Markham requires fundamental review.

NMLG acknowledge that employment lands are required in North Markham.

Draft Official Plan *Section 8.5 Employment Lands* identifies four land use designations for employment areas. The designations represent very traditional forms of employment and business parks. However, the traditional business park as it now exists is land consumptive, makes poor use of infrastructure, and is not transit-supportive. We question whether it would be economically feasible to develop employment lands in North Markham on the bases described in the draft Official Plan.

NMLG believes the draft Official Plan provides the opportunity for Staff and the municipality to re-consider the fundamental nature of business parks in Markham, and especially North Markham, including by addressing:

- What kind of employment Markham really wants to attract,
- How to get more use out of those lands for more hours of the day,
- Expanded permissions within employment areas,
- The relationship of the employment lands to adjacent retail and residential areas,
- How to efficiently provide transit service to these lands.

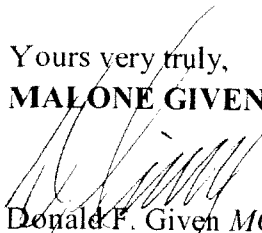
NMLG would welcome the opportunity to work with Staff to explore options and to create a new vision and new standards for employment lands in North Markham.

The above represent the comments NMLG has, at this point in the review process, with the September 2012 draft Markham Official Plan – Part 1. Additional comments may be submitted at a later date.

Please contact me at 905.513.0170 to arrange a meeting to discuss these NMLG comments.

Yours very truly,

MALONE GIVEN PARSONS LTD.



Donald F. Given *MCIP, RPP*

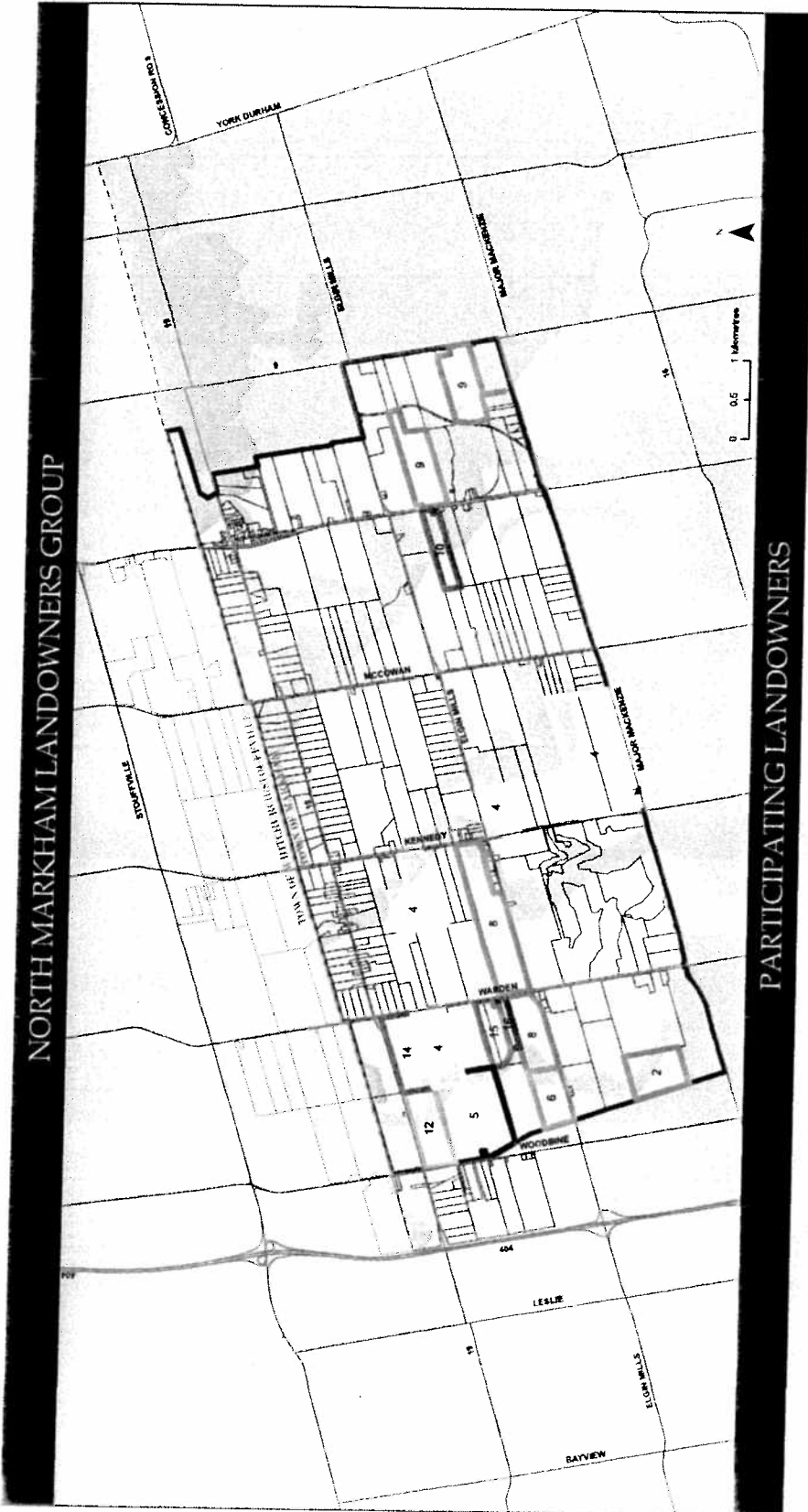
President

dgiven@mgp.ca

Attachment: Map *North Markham Landowners Group: Participating Landowners*

cc: North Markham Landowners Group
Tom Hilditch, *Savanta Inc.*
Joanne Thompson, *RJ Burnside*
Nancy Mather, *Stonybrook Consulting*
David Richardson, *MMM Group*
Jeff King, *MMM Group*

NORTH MARKHAM LANDOWNERS GROUP



PARTICIPATING LANDOWNERS

- 2 AZURIA GROUP
- 4 FIELDGATE
- 5 GLENDOWER PROPERTIES INC.
- 5 FIRST ELSIN MILLS DEVELOPMENTS LIMITED
- 8 ROMANDALE FARMS
- 9 EMERY INVESTMENTS

- 10 MACKENZIE 48
- 12 TUNG KEE INVESTMENT LIMITED PARTNERSHIP
- 14 OSKAR GROUP
- 15 ZACORP VENTURES
- 16 TRSALTAS LAND HOLDINGS

- OAK RIDGES MORAINIC CONSERVATION PLANNING AREA
- PROVINCIAL GREENBELT PLAN - PROTECTED COUNTRY SIDE
- WATER COURSE
- PARCEL
- ADJUCIAL BOUNDARY
- STUDY AREA
- FINAL BUILT BOUNDARY

MALONE GIVEN PARSONS LTD
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 Website: www.malonegiven.com

February 13, 2013

Our File No.: 06.3883

City Clerk
City of Markham
Markham Civic Centre
101 Town Centre Blvd.
Markham, ON L3R 9W3

Attention: Ms. Kitty Bavington

Dear Sirs/Mesdames:

Re: Comments with respect to City of Markham New Draft Official Plan on behalf of Minotar Holdings Inc./Cor-lots Developments/Cherokee Holdings/Halvan 5.5 Investments Limited (Minotar)

We act for Minotar, the owner of lands in the City of Markham which consist of four separate parcels with a total area of approximately 122 hectares (302 acres) north of Major Mackenzie Drive. The majority of the lands are located between Kennedy Road and McCowan Road, with two smaller properties being located on the east side of McCowan Road.

A representative of Minotar was present at the public meeting on November 6, 2012. In addition, a meeting was held with City planning staff in January 2013. Based on the information from these meetings and a detailed review of the new draft Official Plan (September 2013 version) we have identified a number of matters of concern.

There are three related issues specific to the Minotar lands as follows:

1. Refinement of the boundaries of the Natural Heritage System in the Greenbelt Plan

Portions of the Minotar lands are located in the Protected Countryside designation of the Greenbelt Plan (see Attachment 1). These lands are also identified as Natural Heritage System. Policy 3.2.2.6 of the Greenbelt Plan provides that:

"When official plans are brought into conformity with this Plan, the boundaries of the Natural Heritage System may be refined, with greater

precision, in a manner that is consistent with this Plan and the system shown on Map 4."

In addition, the approved York Region Official Plan (YROP) states in Policy 2.1.23:

"That, when local municipal official plans are brought into conformity with the Greenbelt Plan, the boundaries of the Natural Heritage System may be refined with greater precision, consistent with the provisions of the Greenbelt Plan and the system shown on Schedule 4 of the Greenbelt Plan. Such refinements may be reflected in this Plan through on-going consolidations without an amendment."

It is our understanding that such a refinement would be considered in consultation with the City, the Province and the Region with the guidance of the Greenbelt Plan. However, despite this policy direction, the City has not undertaken the necessary review as a basis for the refinement of the boundaries for any portion of the lands in the Greenbelt Natural Heritage System.

Minotar has retained the necessary experts and undertaken the background work required as a basis for consideration of the refinement of the boundary of the System on their lands. This work includes evaluation of the wetlands by Provincial staff. Minotar is prepared to work with City staff with respect to this issue and requests that City staff initiate the process for refinement of the boundary of the Natural Heritage System on the Minotar lands as part of the finalization of the new Official Plan.

2. Future Urban Area Boundary

The YROP in Section 8.4.3 b. states that "the boundaries of the Urban Area identified on Map 1, are fixed where they are identified by a municipal street, rail line, parcel fabric as it exists on the day of adoption of this Plan, lot and/or concession blocks, or other clearly identifiable physical features." The City's Official Plan has a similar policy in Section 10.1.13 which applies to all land use designations. Minotar requests that the policy be revised to clarify that it applies to the boundary of the Future Urban Area designation.

3. Application of the Greenbelt Plan to Land Uses

Section 5.3 of the Greenbelt Plan provides that

"With the exception of the lot creation policies . . . , official plans and zoning by-laws shall not, however, contain provisions which are more restrictive than the policies of section 3.1 and 4.3.2 as they apply to agricultural uses and mineral aggregate resources respectively."

The Greenway provisions of the Markham Draft Official Plan contain policies which are more restrictive than section 3.1 of the Greenbelt Plan and therefore the policies are not in compliance with the Greenbelt Plan. The agricultural policies of the draft Plan should also be reviewed to ensure that they are not more restrictive than the Greenbelt Plan.

General issues are as follows, with more specific matters outlined in the table attached as Attachment 2 to this letter:

- **Consistent Terminology**

There are quite a few instances of inconsistent terminology in the Plan, particularly with respect to natural heritage. For instance, in the Vision Statement in Section 2.1, agricultural functions/countryside areas are described as complementing natural heritage areas while in Section 3.0, "protected agricultural lands" are described as part of the Greenway System. Further, the Plan describes the Greenway System in a number of different ways in part, it appears, because the title is being applied to different features which adds to the confusion as one must try and determine if it is the concept of a Greenway System which is being discussed or the specific land use designation. For instance, in the Vision Statement in Section 2.1 the Greenway System is described as:

"A Greenway System of linked natural heritage and hydrologic features, identified through a comprehensive Environmental Policy Review, establishes limits and priorities for the protection of Markham's significant environmental features."

However, later in Section 3.0, the Greenway System is described in a different manner as:

"The Greenway System includes Natural Heritage Areas, enhancement lands and protected agricultural lands, which enhance human health and well-being by providing for the protection of natural heritage and hydrologic features, improvements to air and soil quality, and the protection of flora and fauna habitat. The Greenway policies further

support ecological linkages that connect and integrate the natural landscape of Markham across five *watersheds*.”

Further, in Section 8.6, the Greenway designation is described as:

“The ‘Greenway’ designation applies to the Greenway System lands shown on Map 1- Markham Structure that contains natural heritage and hydrologic features and their *vegetation protection zones* and lands within the ‘Oak Ridges Moraine Conservation Plan Area’ and ‘Greenbelt Plan Areas’ shown on Map 7- Provincial and Federal Policy Areas. These lands are intended to protect *valleylands* and stream corridors, *sensitive groundwater features*, landforms, *woodlands*, *wetlands* and agricultural lands while supporting agricultural activities, protection of wildlife habitat, passive recreation uses, natural heritage enhancement opportunities and nature appreciation. The Greenway System also protects *cultural heritage resources* associated with valleylands and watercourse corridors through the application of the Rouge Watershed Protection Area.”

Even seemingly minor differences in terminology can cause confusion in interpretation and detract from the clarity of the policies. Some additional specific examples are provided in the attached table.

It is recommended that revisions be made to the Plan to clarify the intent by using more consistent wording, changing the terminology to differentiate between the various matters to which the term “Greenway” has been applied, or other approaches which will make it clear to the reader the intent of the Plan.

- **Need for Balance**

Section 2.0, A Framework for Sustainable Growth, correctly identifies the importance of balance in planning for the future when it states in the introductory section that the land use framework “is based on a shared understanding that the essence of sustainability is balance”. However, nowhere else is this important principle clearly recognized in the Plan. In particular in the actual Vision Statement in Section 2.1 and/or the Goals and Objectives in Section 2.2. Further, there are a number of instances where directions are referenced which do not appear, without more explanation than is provided, to reflect the principle of “balance”. In particular, in Section 2.1 which states that the vision “places highest priority on maximizing protection of natural heritage and agricultural lands, and directing as much growth as feasible to the existing urban area through intensification” and Section 3.0 which identifies an “Environment First approach to land use planning”.

- **Relationship to the New Region of York Official Plan**

The Region of York Official Plan (YROP) policies were the subject of extensive mediation and the final policies reflect detailed consideration of issues which are relevant to the City of Markham. In some cases these directions have been incorporated into the City's draft Plan, however, in other cases a different approach has been identified. The differences in approach will cause on-going difficulty with interpretation and clarity. For instance with respect to natural heritage and hydrologic features:

The YROP indicates that the Regional Greenlands System includes key natural heritage features and key hydrologic features and functions and defines those terms. Provincial Plans such as the Oak Ridges Moraine Conservation Plan also reference the protection of key features. The proposed Markham Plan indicates in Section 3.1 that the Greenway System will comprise "natural heritage and hydrologic features and their functions". Similarly, Section 8.6.1.1 also indicates that the lands designated 'Greenway' "identify and protect the Greenway System comprised of natural heritage and hydrologic features and their functions". The YROP defines the terms "key natural heritage feature" and "key hydrologic feature" and the Markham Plan includes the same definitions. However, no definition is provided of the terms "natural heritage feature" or "hydrologic feature" which makes it difficult to understand what the City's intent is with respect to the difference between such features and the key features being protected by the Regional and Provincial plans. No definition is provided for 'Natural Heritage Network' or 'Natural Heritage Network Enhancement Lands'.

- **Dependence on Secondary Documents for Development Control**

The Official Plan provides general direction, but leaves detailed direction to a range of secondary documents. Some of these documents such as secondary plans and zoning by-laws are statutory documents under the *Planning Act* which will require public review before adoption and allow the right of appeal. However, many other documents such as urban design guidelines, tertiary plans and block plans are not statutory documents and are not subject to formal public review or appeal. For such documents, the Plan should, at a minimum, provide specific direction as to the objectives and content, as well as the process which should be followed prior to adoption by Council of such documents. In most cases, direction is provided which provides some context for understanding what is

involved with these documents (e.g. block plans, precinct plans). However, in some cases significant additional direction should be provided. In particular, the policy framework with respect to an Urban Forest Management Plan in Section 3.2 is very limited. This is of concern given the extensive definition of the Urban Forest System which includes not just woodlands and individual trees, but also shrubs, under storey and soils. The Urban Forest Management Plan is a document which will affect all landowners in the City, and the Official Plan should provide more specific direction on not only what it is intended to deal with, but also how it is intended to be implemented. In addition, Section 3.1.210 requires Network Edge Management Guidelines and additional direction should be provided on the objectives of these guidelines.

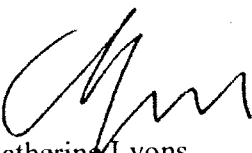
- **Preamble Sections**

Section 10.1.2 states that “preamble sections at the beginning of each Chapter or policy section shall assist in understanding the policies of this Plan.” It is not clear from this statement whether these preamble sections are part of the Plan or for information purposes only. The status of these sections should be clarified. In addition, regardless of their status, they should either be deleted or the wording should precisely reflect the policies in the Plan. In particular, where reference is made to terms which are specifically set out in policy or definitions, the wording in the preamble should be the same as in the policy or definition to avoid confusion and misinterpretation.

More detailed comments on Markham’s draft Official Plan are attached. We continue to review the draft and may have additional comments. We would be pleased to discuss these matters with City staff and ask that a further meeting be scheduled to do so.

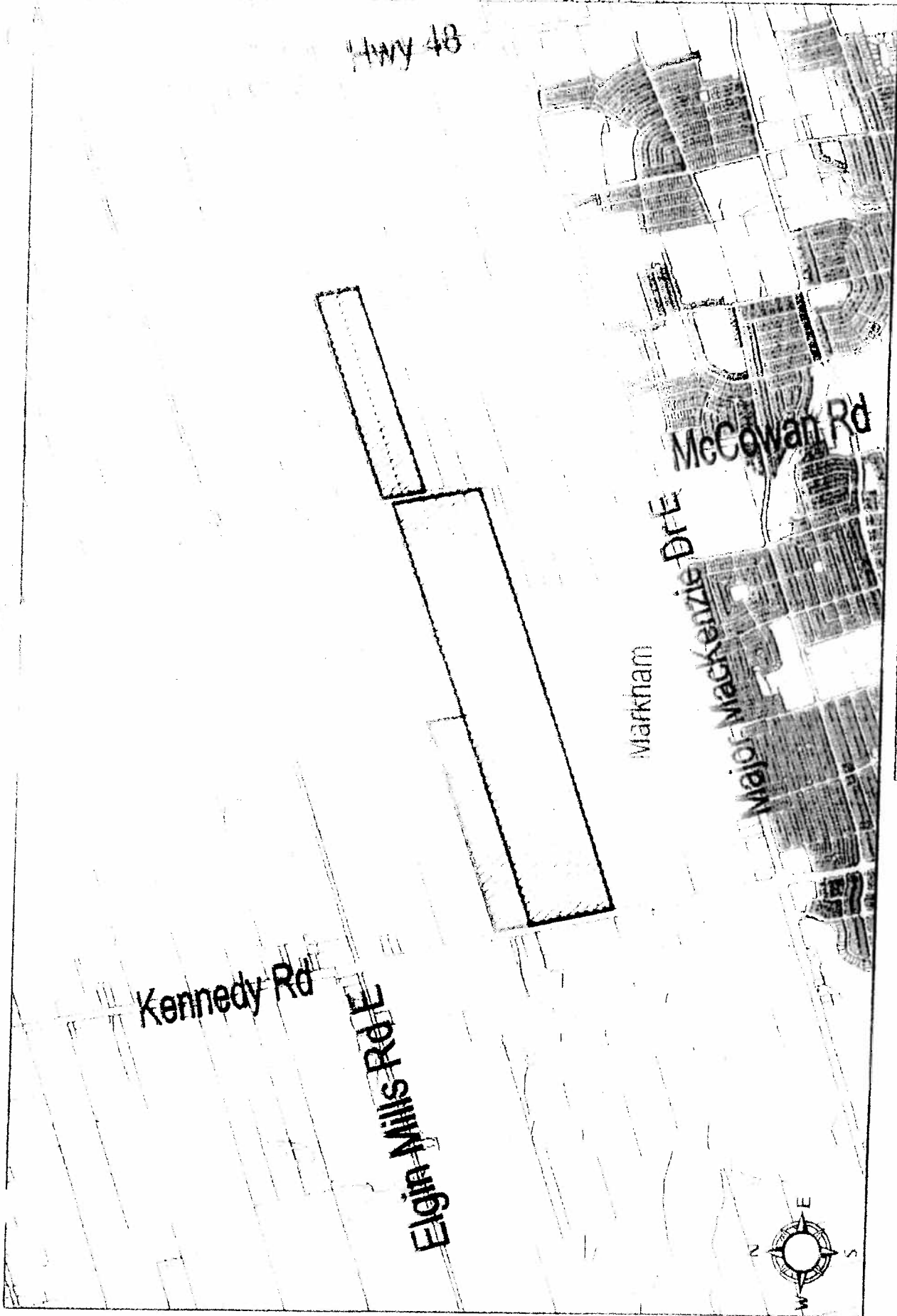
Yours very truly,

Goodmans LLP



Catherine Lyons
CAL:sls

Cc M. Wouters



Source: York Region GIS

Subject Lands

ATTACHMENT 2

City of Markham New Draft Official Plan		
Minotar Submission Detailed Issues February 2013		
Section and Summary	Discussion	Conclusion
1. Planning Markham's Future (Not an operative part of the Official Plan)		
1.1 The Markham Context	Section 1.2 provides first reference to "intensification" and "complete community" which are defined terms. Indicates that in 1990 "Markham embarked on a more sustainable model of development.... The focus of this Plan is to continue in this direction, with the goal of achieving a more urban, sustainable, complete City. A <i>complete community</i> provides for all the daily needs of its residents....". This statement references recreation and open space, but not natural heritage. Given the focus on natural heritage protection, it would appear that this should be included.	Despite the fact that Section 1 is not an operative part of the Plan, it sets the context and should be consistent with the directions in the rest of the Plan.
1.3 The Regulatory Context	Section 1.3.3 Federal Airport Zoning Regulations are described as preventing the use of lands adjacent to or in the vicinity of an airport site "from being used or developed in a manner that is incompatible with the safe operation of an airport or aircraft, including the restriction on certain land uses and limits on building heights....Once plans and runway designs are finalized for the proposed Pickering Airport Site, it is anticipated that the extent of the lands in Markham covered by the Regulation will be reduced. Markham will work with the Federal government to determine whether regulations on all or a portion of these lands can be lifted, as planning for the Rouge National Park proceeds." This direction should be included in the operative part of the Plan.	The direction provided with respect to the Regulations should be a policy in the operative part of the Plan.

City of Markham New Draft Official Plan		
Minotar Submission Detailed Issues February 2013		
Section and Summary	Discussion	Conclusion
1.5 The Organization of this Plan	This section provides some guidance on interpretation of the Plan (e.g. Chapter 1 is not an operative part of the Plan). However, there are a number of other matters of interpretation which are not fully explained until Section 10.0, Interpretation. It would be helpful to repeat some of these matters in Section 1.5. In particular, the role of the preamble sections at the beginning of each Chapter or policy section.	To clarify the interpretation of the Plan additional direction should be added to Section 1.5.
2. A Framework for Sustainable Growth		
2.0 Introductory paragraph	Key is statement "essence of sustainability is balance"	As noted in the general comments the principle of "balance" should be reflected throughout the Plan not just in this paragraph.
2.1 Managing Sustainable Growth - The Vision to 2031 Four Themes <ul style="list-style-type: none"> • Protecting Natural Environment and Agricultural Lands • Building Complete Communities • Increasing Mobility Options • Maintaining a Vibrant and Competitive Economy 	<ul style="list-style-type: none"> • It is concerning that the reference to "balance" is not included in the actual vision except implicitly (growth presents challenges and opportunities). Contrary to the concept of "balance", the vision "places highest priority on maximizing protection of natural heritage and agricultural lands, and directing as much growth as feasible to the existing urban area through intensification" • First reference to a target of 35% of the City's land area, encompassing waterways, woodlands and wetlands, and a linked and connected system of natural heritage and hydrologic features" untouched by future urban development 	<ul style="list-style-type: none"> • The Vision should reflect the concept of "balance" • Justification for target of 35% should be provided.
2.2 Goals and Objectives	Protecting Natural Environment -Does not repeat	As noted in the

City of Markham New Draft Official Plan		
Minotar Submission Detailed Issues February 2013		
Section and Summary	Discussion	Conclusion
Relate to each of the four themes and implementation	the 35% target, but calls for protection of "waterways, woodlands and wetlands" and agricultural lands. Does not restrict protection to key features.	general comments. greater clarity is required as to what features need to be protected
<p>2.3 Markham Structure</p> <ul style="list-style-type: none"> • Reflects YROP growth forecast. • Maps 1 and 2 reflect the general structure. Show Future Urban Area similar to YROP outside Greenway System. • Greenway System expanded from YROP 	<ul style="list-style-type: none"> • Greenway system is to comprise natural heritage features (e.g. valleylands, wetlands, woodlands and enhancement areas). Slightly different wording than previously, including reference to enhancement areas. No reference to features outside system. • Despite identification of Major Mackenzie as major transit corridor, Structure does not include any "Mixed Use Neighbourhood Areas" along it which are intended to be a focus of "higher density mixed use residential development", except at Mount Joy. The Neighbourhood designation which is applicable is for primarily ground related housing forms. Although, later policies do provide for potential of mixed use development through the Secondary Plan process. • Section 2.3.3 states that expansions to the urban area on Map 11 "shall only be initiated by York Region, in consultation with Markham, as part of a <i>municipal comprehensive review</i> in conformity with Policy 2.2.8" of the Growth Plan and the York Region Official Plan policies. Definition does not seem to fit with this statement as it says that it means "an official plan review or an official plan amendment, initiated by Markham, in consultation with the Region...." 	<ul style="list-style-type: none"> • As noted in general comments, there is a need for a consistent definition of what is in Greenway System and what else is being protected. • Some direction with respect to long term planning to support transit on Major Mackenzie should be provided. • Section 2.3.3 and/or definition of municipal comp. review. needs to be reviewed and also should more closely reflect the YROP

City of Markham New Draft Official Plan		
Minotar Submission Detailed Issues February 2013		
Section and Summary	Discussion	Conclusion
		definition.
2.5 Centres and Corridors	Section 2.5.2, Regional Corridors/Key Development Areas focuses on key development areas which are defined as intensification areas along Yonge Street and Avenue 7. In addition, there is direction with respect to Local Centres and Corridors. Given that Major Mackenzie, Steeles, Warden and Ninth Line are Major Regional Transit Corridors, some direction with respect to intensification along these routes to support transit should also be provided.	Policy direction with respect to intensification along all Major Regional Transit Corridors including Major Mackenzie to support transit should be provided.
2.6 Future Urban Area	“Developable lands” is not a defined term and should be to allow accurate determination of whether the proposed density targets are being met. The YROP includes a definition of “developable area” which should be used as a basis for such a definition.	“Developable lands” should be defined in conformity with the final definition approved in the YROP.
3.0 Environmental Systems		
3.0 Introductory paragraph	As noted in the general comments, there is a need for consistency in terminology.	Consistent terminology is required.
Related Maps 1, 3, 4, 5, 6 and 7	<ul style="list-style-type: none"> • Map 6 Hydrological Features. Two different sets of wetland boundaries are shown, neither of which corresponds to the boundaries established through a detailed analysis carried out on behalf of Minotar. In addition, the Valleylands & Watercourse Corridors show a very broad area associated with the west branch of Robinson creek in the south west area of the Minotar property. • Appendix B Small Streams 	<ul style="list-style-type: none"> • As discussed in the site specific comments, the Minotar designations should reflect the results of a Greenbelt conformity exercise. • Also changes

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3.1 Greenway System	<p>A large number of 'small streams' are shown scattered over the property, many of which do not exist.</p> <ul style="list-style-type: none"> • The relationship between the statement that the Greenway System is 33% of the land base and the earlier identification of a target of 35% should be clarified. • The statement "connects to and assists with the implementations of the Region's Greenlands System and support other agency natural heritage programs" is unclear as comparing the map to the Regional System it appears to include the Regional System and expand on it. It would be clearer if the City identified what was in the Regional System and what is in addition to the System. Section 2.1.4 of the Regional Plan seems to indicate that local municipalities need to establish more specifically the system in their plans • Splitting the land use policies from the Environmental Systems policies leads to confusion. For example, when Plan indicates that development, redevelopment and site alteration are to be directed away from non-agricultural lands the reader does not know at this point what the permitted uses are. • The various layers to the environmental policies, makes it very confusing and the fact that it's not a pure systems approach makes it also very complex. For instance the Plan allow refinements to the boundaries and location of features without an amendment to the Plan (Section 3.1.1.3), but major modifications to the boundaries of the Greenway Components require an amendment. It would appear more reasonable to permit minor changes to the Components without an amendment. In addition, the Plan requires vegetation 	<p>are required to Map 6 and Appendix B as noted.</p> <ul style="list-style-type: none"> • 33% reference should be clarified and an explanation provided with respect to how it relates to the 35% target • Relationship to Regional System should be clarified • Having policies for the Greenway System in this section and in the land use policies is confusing and duplicative. It would be clearer to have all the policies in one location with a reference to the other section. • Layers of policy confusing, as is relationship of the Greenway System to parks and open

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	<p>protection zones where development is allowed adjacent to features. The Plan also discourages removal of natural features not identified as key features.</p> <ul style="list-style-type: none"> • Section 3.1.1.3 (2nd para) recognizes that scale of mapping etc may result in refinements, but ends by stating that there cannot be a net loss if baseline is coarse, how can no net loss be determined? • Relationship to the parks and open space system is also not clear. In most cases it is kept separate but Section 3.1.1.5 says "to incorporate the protection and enhancement of the Greenway System as a component of the parks and open space system in accordance with Section 4.3.2 and a required secondary plan". It raises the potential for the use of the parkland dedication provisions for the acquisition of the system, but that is contrary to a later policy for the natural heritage system component (Section 3.1.2.5). 	<p>space system</p> <ul style="list-style-type: none"> • No net loss concept is misleading and not viable as currently proposed.
<p>3.1.2 Natural Heritage Network</p> <p>Core element of the Greenway system</p>	<ul style="list-style-type: none"> • Definitions of features generally follow Region's (including referencing Lake Simcoe shoreline where it is not applicable). However, there are some minor discrepancies which should be resolved (e.g. vegetation protection zones are defined as being around natural heritage and hydrologic features -- identified as defined terms but they are not defined - whereas the Region's Plan says key natural heritage and hydrologic features.) • It is not clear that System includes more than the listed features -- should be made clear that it includes linkages as well. • Section 3.1.2.3 allows integration of naturalized stormwater management (swm) facilities "associated with valleylands and watercourse corridors where it can be demonstrated to the satisfaction of Markham and the Toronto Region Conservation Authority that feasible opportunities do not 	<ul style="list-style-type: none"> • It is very confusing to have the Region's policies and the City's similar but not the same. Region's policies should be referenced or repeated. It will otherwise cause difficulties in interpretation. • Need to specify the System is more than features

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	<p>exist for new... facilities outside valley corridors, to further enhance the function of the Natural Heritage Network.” There are several issues with this policy:</p> <ul style="list-style-type: none"> ○ As noted in the general comments, the policy should align with the Region’s policy and should list the exceptions in one location in the Plan; ○ The City is the approval authority. Therefore, policy should state “to the satisfaction of the City of Markham in consultation with the Toronto Region Conservation Authority”; and, ○ ‘Reasonable’ is the preferred terminology rather than ‘feasible’ alternatives’ with respect to interpretation. <ul style="list-style-type: none"> • Section 3.1.2.10 requires Network Edge Management Guidelines. Additional direction is required with respect to the objectives of these guidelines. For instance, will the City allow grading within the Network? • Section 3.1.2.11 provides direction on location of public infrastructure. It is difficult to predict all the circumstances which will occur with respect to public infrastructure. The Regional Plan provides general approach (Section 2.1.10) which is preferable given the uncertainty. • The discussion of key natural and hydrologic features, woodlands and wetlands should reflect the Regional policies given the detailed review that those policies have undergone. • Similarly, policies for endangered species etc should be separated out and follow Region’s policies • Section 3.1.2.21 gives equal status to wetlands identified by the Conservation Authority and the Ministry of Natural 	<ul style="list-style-type: none"> • Policy 3.1.2.3 should be modified as discussed. • Definitions in the text should not be repeated unless it is word for word as it causes interpretation issues.

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	<p>Resources. The Ministry has the authority to identify wetlands, a similar authority has not been provided to the Conservation Authority.</p> <ul style="list-style-type: none"> • Valleylands and watercourse corridors – this Section would appear to be an introductory section and not a policy. However, it states that the Plan will ensure long term protection of valleylands and watercourse corridors through the “policies contained in this section and the management documents produced by the Toronto and Region Conservation Authority”. Given that the Authority’s documents are not specified and are not appealable, the reference should be deleted. • The introductory paragraphs use slightly different wording than the policies. In particular, the discussion of features defines the terms but then repeats a general description in the introductory paragraph. It should be one or the other to ensure there is no confusion on how the terms are used. • Section 3.1.2.15 seems to place restrictions on works within valleylands, watercourse corridors and VPZ. This doesn’t seem to match Section 3.3.3.7 • Section 3.1.2.18 b) prohibits works within woodlands (locally significant) and vegetation protection zones, with certain exceptions. This was the subject of considerable review through the YROP and should be consistent with the Region’s approach. • Section 3.1.2.19 Woodland Compensation Plan – This was the subject of considerable discussion through the YROP and should be consistent with the Region’s approach. 	
3.1.3 Natural Heritage Network Enhancement Lands	Map 4 shows a Core Area Enhancement Area (red star) to north of the Minotar lands. There is no justification for this designation.	

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3.1.4 Rouge Watershed Protection Area	Boundary is preliminary and will continue to be refined through the development approval. The Plan arbitrarily moves the boundary to be co-incident with the Greenbelt boundary. This is not appropriate	Addition of boundary of Rouge Watershed is not appropriate
3.1.5 Oak Ridges Moraine Conservation Plan and Greenbelt Plan	<p>Section 3.1.5.14 should be refined in accordance with Regional policy 2.1.23 to read as follows:</p> <p>The lands identified as 'Greenbelt Protected Countryside' on Map 7 Provincial and Federal Policy Areas are subject to additional Natural Heritage System policies contained in the Greenbelt Plan and refinements to the boundary of the Natural Heritage System shall only be considered through a provincial review process <u>have been or will be considered through a review of the City's Plan to bring it into conformity with the Greenbelt Plan, consistent with the provisions of the Greenbelt Plan and the system shown on Schedule 4 of the Greenbelt Plan. Such refinements may be reflected in this Plan through on-going consolidations without an amendment.</u></p>	Refine wording of Section 3.1.5.14 to reflect the Greenbelt Plan and the Regional Plan policies.
3.2 Urban Forest System	<ul style="list-style-type: none"> • The definition of "urban forest" differs from the description of the Urban Forest System in the introductory section of Section 3.2 which is confusing and leads to difficulties in interpretation. • In particular, Section 3.2 does not include hedgerows, but the definition does. This is an issue because it would appear to require the protection of hedgerows even though they are not defined as woodlands, and thus would not be protected as part of the Greenway System. The protection of hedgerows in newly developing areas can be problematic because of issues such as grading. • Further, the definition in both cases is 	<ul style="list-style-type: none"> • Definition of urban forest should be the same in the introduction to Section 3.2 as in the definition section. • If shrubs, under storey and soils are to be included in the definition greater clarity

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	<p>extensive. There are a number of concerns with both the definitions, including the inclusion of shrubs as it is unclear what shrubs would be included and what is the intent of the protection. Similar issues would apply to under storey and soils.</p> <ul style="list-style-type: none"> As mentioned in the general comments, the policies are very general, leaving Urban Forest Management Plan to set targets etc. with a couple of exceptions. More direction should be provided in the Plan as to the intent of the Urban Forest Management Plan. Specifically, Section 3.2.1 refers to 'protect, expand and integrate the urban forest', but it is not clear what this means in terms of the extent of protection. 	<p>is required on what exactly is to be protected and why.</p> <ul style="list-style-type: none"> Greater policy direction required on what is involved in Urban Forest System and the Urban Forest Management Plan.
3.3 Water System		
3.3.1 Watershed Planning	Section 3.3.1.4 indicates that subwatershed plans are required prior to development in the Future Urban Lands. It should be made clear that such plans will be prepared "in consultation" with the TRCA.	Section 3.3.1.4 should indicate that the subwatershed plans will be prepared in consultation with the TRCA.
3.3.2 Ground and Surface Water Resources	Identifies small drainage features and indicates they have to be evaluated in accordance with Markham's small streams classification system and management protocol. However, TRCA also requires these features be assessed using their headwater classification. The Plan should clarify the relationship between these two approaches.	Relationship between Markham's small streams process and the TRCA's should be clarified.
3.3.3 Stormwater Management	<ul style="list-style-type: none"> Section 3.3.3 does not seem to match Section 3.1.2.15. The two sections should be reconciled. 	<ul style="list-style-type: none"> Section 3.3.3 and 3.1.2.15 should be

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	<ul style="list-style-type: none"> Direction in Section 3.3.3.7 on SWM facility locations goes into a lot of detail and beyond previous policies. The previous policies which refer to the location of SWM facilities should be cross referenced to this section. 	<p>reconciled.</p> <ul style="list-style-type: none"> Section 3.3.3.7 should be cross referenced to other policies related to SWM facilities.
3.4 Environmental Hazards		
3.4.1 Natural Environmental Hazards	<ul style="list-style-type: none"> References Appendix A -TRCA regulatory framework for flooding. It should be noted that the regulations may change and reference should be made on the map or in the text to the need to review the actual regulations. Hazardous lands are designated Greenway. However in some cases the hazard areas can be changed (e.g. enlargement of culvert) so that making if such areas are designated as "Greenway" such a change will require Official Plan Amendment. The Plan should reference the ability to modify the boundary if the hazard line changes without amendment to the Plan. The Requirement for conveyance at no cost is not within the jurisdiction of the municipality. 	<ul style="list-style-type: none"> Reference to Appendix A should provide for potential for change Policies should provide for ability to modify boundary of the Greenway system if the hazard line is modified, without an amendment to the Plan. Requirement for conveyance at no cost should be deleted.
3.4.2 Other Environmental Hazards	<ul style="list-style-type: none"> Noise studies required for sensitive land uses adjacent to arterial roads which can require buffering. However, there is no direction on implications for streetscape and what policy direction will take precedence. Section 3.4.2.8 requires Noise Exposure Forecast and Airport Zoning Regs to be "used as a basis for land use planning and development control on the affected lands". 	<ul style="list-style-type: none"> The policies on noise studies should indicate which policy takes precedence with respect to streetscape design.

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	As noted above in the discussion of Section 1.3.3 Federal Airport Zoning Regulations, which is not an operative part of the Official Plan, the policy should be included in the operative part of the Plan and this would be an appropriate location.	<ul style="list-style-type: none"> The policy direction in Section 1.3.3 should be added to Section 3.4.2.8
3.5 Environmental Reporting	<ul style="list-style-type: none"> There is a lack of clarity in the introductory statement in particular, the reference to "tree preservation". Section 3.5.1 requires a Master Environmental Servicing Plan to the satisfaction of Markham, TRCA and other agencies. The City is the approval agency. The MESP should be to the satisfaction of Markham <u>in consultation with TRCA and other agencies.</u> Correct wording is provided for subwatershed studies (have regard for) but this conflicts with the introductory paragraph where it says MESP has to comply with the subwatershed study. The introductory paragraph should be changed. A "management plan for land subject to ecological stress or in a degraded state" is required to address the rehab and enhancement of the Natural Heritage Network lands. The policy should establish what criteria will be used to establish that the land is subject to stress. 	<ul style="list-style-type: none"> Introductory statement should be clarified with respect to tree preservation. MESP should be prepared to satisfaction of the City "in consultation with TRCA and other agencies" Introductory paragraph should be clarified with respect to status of subwatershed studies. Criteria should be established for identification of land under ecological stress.
4.0 Healthy Neighbourhoods and Communities		
4.1.3 Affordable and Shared Housing	This provides very general direction about working with the Region to come up with affordable and shared housing strategies and targets. However, Section 4.1.3.6 c) requires that	Revise Section 4.1.3.6 c) to provide flexibility should the targets

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	secondary plans “demonstrate how the affordable and shared housing targets will be met”. This assumes that the targets will be developed prior to the preparation of the secondary plan and flexibility should be provided should that not be the case.	for affordable and shared housing not be available prior to the preparation of a secondary plan.
4.2 Community Infrastructure	<ul style="list-style-type: none"> Section 4.2.2 says the City will prepare a Community Infrastructure Strategy. The policy direction indicates the City will develop new approaches to delivery including flexible zoning standards. However, without having established what these directions will be, the City are requiring a community infrastructure plan for all new secondary plans including a financial strategy and further an agreement to secure the provision of community services and facilities to the satisfaction of the City. Region and other community service providers “prior to the enactment of implementing zoning by-laws for development”. Such a strategy would appear to cover soft services (e.g. library, community centres, parks, cultural facilities, social services, health services, police, fire and emergency services). This creates significant uncertainty and potential financial issues. As such it is inappropriate to establish such a test without the completion of the Strategy. 	Requirement for an agreement to secure provision of community services prior to zoning is a significant issue without an understanding of the implications. Community Infrastructure Strategy should be adopted before approval of this policy.
4.2.3 Public Schools	<ul style="list-style-type: none"> Section 4.2.3.1 b) promotes smaller school site sizes and multi storey school buildings but only in mixed use neighbourhoods and intensification areas. This should be general policy. Section 4.2.3.2 provides that the City should be given a first right of refusal for “public school sites and/or buildings” not required by the School Board. It should be clarified that this applies only to sites owned by the School 	<ul style="list-style-type: none"> Smaller schools site sizes and multi storey schools should be a general policy. Clarification is necessary.

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	Board and not sites which have simply been reserved.	
4.3 Parks and Open Space System		
4.3.1 General Policies	<ul style="list-style-type: none"> The link to the Greenway System is clearly stated in Section 4.3.1.2 “to plan and implement an interconnected system of parks and open spaces that, together with the Greenway System, streets, utility corridors, pedestrian and bicycle trails, contributes to the connectivity of Markham’s communities...” This relationship needs to be clarified in the Greenway System policies. However later the clarity of the relationship becomes confused because connectivity in Section 4.3.1.4 references ravines and/or valleylands and greenways. These features would/should potentially be part of the Greenway System. Also the policies reference integration of “significant natural areas, woodlots and greenways into the overall park and open space system, such that these areas are protected and enhanced in perpetuity.” which further confuses the issue. 	Plan needs to clarify link between Greenway system and Parks and Open Space System. Section 4.3.1.2 provides clear direction. However, the other related policies in the Plan need to be clarified.
4.3.2 Parks and Open Space Classification	The parks hierarchy provides a range of sizes and sufficient flexibility to allow the appropriate approach to be determined through the secondary plan. However, it is also suggested that there be additional criteria which may include per capita ratios, size, use, amenities, walking distance, location and programs. This creates uncertainty with respect to approach and it should be clarified that these factors will be taken into consideration as part of the secondary plan process.	Section 4.3.2.3 should be revised to clarify that the identified factors will be considered as part of the preparation of secondary plans or other detailed plans.
4.3.5 Parks and Open Space Acquisition, Design and Improvement	<ul style="list-style-type: none"> Recognizes need to acquire land beyond the Planning Act and DC Act. 	Policy should confirm that conveyance at no

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		cost will not be required.
4.4 Arts and Culture	Section 4.4.1.3 indicates that new arts and culture programs, services and facilities shall be integrated with new community development and “coordinated with the delivery of other community infrastructure including the parks and open space system, as outlined in this Plan”. It would appear that arts and culture will be part of the Community Infrastructure Strategy and potentially the required provision of community services as established in Section 4.2.	See comments on Section 4.2
6.0 Urban Design and Sustainable Development		
6.1 Urban Design		
6.1.1 General Policies	Section 6.1.1.5 indicates that the City intends to develop comprehensive urban design guidelines including a streetscape manual, built form, height and massing guidelines and parks and open space guidelines. Unlike many of the more detailed implementation documents that are proposed, this section together with the related policies provide significant direction as to the approach the City will be taking. However, one of the directions of these guidelines is to achieve urban forest enhancements in accordance with Section 3.2 which is of concern given the lack of direction in that section.	See comments on Section 3.2.
6.1.3 Streets and Blocks	Section 6.1.3.5 requires “a streets and blocks plan, as a component of a required secondary plan.... to demonstrate how the planning and layout of streets, lanes and blocks will be in	Section 6.1.3.5 should be clarified with respect to the requirement for a

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	accordance with the policies of Section 6.1.3 of this Plan.” This appears to require a tertiary plan at the secondary plan level. It is unclear how this relates to the provisions which also require block plans and precinct plans. Clarification of the process to ensure there is not duplication is required.	streets and blocks plan at the secondary plan level.
6.1.6 Parks and Open Spaces	<ul style="list-style-type: none"> • Section 6.1.6.2 again blurs relationship between parks and open space and the greenway system. It identifies the Greenway System as part of the parks and open space system. It further indicates that development adjacent to parks should “support and enhance natural areas”.. • Indicates that parks and open space guidelines will be developed to guide development of an interconnected parks and open space system particularly in new neighbourhoods, but provides no other details. • A parks and open space plan is also required as part of a secondary plan to demonstrate how design and layout meets the guidelines which have yet to be developed. 	<ul style="list-style-type: none"> • Clarity required as to relationship between parks and open space system and the Greenway System • Establishment of parks and open space plan is a normal part of the secondary plan process, but lack of guidelines creates uncertainty.
6.1.8 Built Form and Site Development	This policy reiterates the proposal to develop built form, height and massing guidelines but do not provide any significant additional details	Uncertainty because of lack of guidelines.
6.2 Sustainable Development	<ul style="list-style-type: none"> • The City proposes to develop general sustainable development guidelines related to a range of criteria for community design (e.g. roofs, community gardens, bioswales, waste management) as well as building design. There are two policies dealing with this (Sections 6.2.2.2 and 6.2.3.1) which is confusing as one is for community design and the other for buildings. It is not clear if 	<ul style="list-style-type: none"> • There should be one policy related to the sustainable development guidelines. • Community Energy Plan is additional

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	<p>there will be one set of guidelines or two. Additional clarity is required.</p> <ul style="list-style-type: none"> The City also requires in Section 6.2.2.3 preparation of a Community Energy Plan in support of all secondary plans 	<p>requirement for secondary plans which are already onerous. The City should develop a City wide Plan instead.</p>
6.3 Designing Sustainable New Communities	<p>The intent of this section is apparently to address compatibility of new development with the Greenway System and protection of features in the System as well as transitions between the built area and the greenway. However the policies actually seem to repeat many other policies, not clear why this is necessary.</p>	<p>Policy references other policies. It is unclear why it is necessary.</p>
7.0 Transportation, Services and Utilities		
7.1.4 Transportation Demand Management and Active Transportation	<p>Requires "mobility plans" in the Future Urban Areas. The Official Plan should specify at which point in the development process these are required and provide additional direction on what such plans should contain based on the Regional Plan.</p>	<p>Timing of "mobility plans" in the Future Urban Areas should be specified, as well as additional direction on what they should contain.</p>
8.0 Land Use		
Introductory Paragraph	<p>The Introduction indicates that the designations relate to the transit and road network, although clearly not the case in the Future Urban Area along Major Mackenzie, recognizing that that may change through Secondary Plan.</p>	<p>Direction should be provided in the Plan that the land use designations in the Future Urban Area adjacent to Major Mackenzie</p>

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		should be reviewed as part of Secondary Plan.
8.2 Residential		
8.2.3, 8.2.4 and 8.2.5 Residential Low-Rise, Mid-Rise and High-Rise	The policies provide the flexibility to change height in secondary plans. However, it is not clear however whether similar flexibility is provided with respect to FSI.	Potential to change FSI in a secondary plan should be provided.
8.3 Mixed Use	Specific criteria (e.g. height, FSI, GFA) are provided for Low Rise, Mid Rise and High Rise development. The potential to vary the criteria in a secondary plan should be added.	<ul style="list-style-type: none"> • Typo in 8.3.2.5 "Mid Rise" instead of "Low Rise" • All policies should make it clear that criteria can be varied in a secondary plan.
8.6 Greenway		
8.6.1 General Policies	<ul style="list-style-type: none"> • Introductory paragraph talks about what is in the Greenway System and so does Section 8.6.1. However, slightly different terminology is used in the two sections which is confusing. Further, the descriptions are different from the descriptions in Section 3 (e.g. cultural heritage resources) which adds to the confusion. • The list of permitted uses includes agricultural uses outside of natural heritage and hydrologic features not key features. It is questionable whether the City can be more restrictive than the Regional Plan with respect to agriculture. Consideration should be give to using the same wording as the YROP to avoid conflicts (Section 2.1.10). • Section 8.6.1.2 permits transportation and 	<ul style="list-style-type: none"> • Use same terminology in introduction as 8.6.1 and reconcile wording with Section 3. • Ensure that wording related to agricultural uses reflects Regional Plan • A clarification is required of the meaning of "environmental

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	<p>servicing infrastructure “which receives environmental approval under provincial or federal requirements”.</p> <ul style="list-style-type: none"> It is not clear why the majority of the uses permitted in Section 8.6.1.3 such as home occupation or home business would not be permitted in all areas, not just the Oak Ridges Moraine and Greenbelt areas, same for bed and breakfast, farm vacation home and unserviced parks. 	<p>approval under provincial or federal authority”</p> <ul style="list-style-type: none"> Expand permitted uses in Section 8.6.1.2 to reflect uses such as home occupation permitted in the ORM/ Greenbelt
8.6.1.5 Building Types	The preamble to this section should indicate that all the building types are only permitted subject to conditions.	Link permitted buildings to conditions
8.6.1.8 Development Criteria	Policies which affect development in the Greenbelt should reflect wording in Regional Plan in particular impacts on “key natural features” not just “natural features” as found in 8.6.1.8 a) i.	Section 8.6.1.8 should reflect wording in Regional Plan Section 2.1.20 and the Greenbelt Plan.
8.12 Future Urban Area		
Introductory Paragraph	<ul style="list-style-type: none"> Establishes background study requirements including Conceptual Master Plan (with a major consultation component), subwatershed plan (which is to form the basis for the Master Plan) and MESP. A Master Plan is an additional layer of study which is costly and time consuming and frequently unnecessary (e.g. North Oakville). It is 	<ul style="list-style-type: none"> Conceptual Master Plan requirement should be merged with secondary plan process for lands east of

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	<p>preferable to incorporate this level of conceptual planning as part of the secondary plan process as is proposed for the lands west of Woodbine.</p> <ul style="list-style-type: none"> The description of the MESP requirements is a bit confusing at the end should be reviewed. 	<p>Woodbine.</p> <ul style="list-style-type: none"> Review wording to clarify MESP requirements.
8.12.1 General Policies	<ul style="list-style-type: none"> Establishes the planning process in more detail but essentially repeats the introductory paragraph direction. As noted it would be preferable to incorporate the Conceptual Master Plan as part of the secondary plan process for the lands east of Woodbine and north of Major Mackenzie. The policies direct the identification of mixed use centres and corridors in the Master Plan, but see these areas as distributed throughout the area (Section 8.12.1.3. Given the number of transit corridors through this area, it is suggested that direction be provided that such areas be located on transit corridors. 	<ul style="list-style-type: none"> Conceptual Master Plan requirement should be merged with secondary plan process for lands east of Woodbine. Mixed use centres and corridors should be directed to locate on transit corridors.
9. Implementation		
9.1 Area Planning	<p>Section 9.1.1, Secondary Plans</p> <ul style="list-style-type: none"> Indicates that the secondary plan prevails over Official Plan policies, except it is confusing because they are also to conform to Official Plan. This direction should be clarified. Policies should clarify that Secondary Plan can change requirements such as height and FSI Establishes for the first time how secondary plans will be phased and uses “the completion of 75 per cent of the land area in each phase before a subsequent phase is registered”. This should be revised to reflect 	<ul style="list-style-type: none"> Clarify relationship of Sec. Plans to OP – Sec. Plan takes precedence Clarify that Secondary Plan can change requirements such as height and FSI Phasing policy should reflect

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	<p>wording in YROP to ensure conformity. However, Section 9.1.1.8 also requires roads and services including schools in place – this could be a concern as it depends on funding for facilities being available and the funding of schools is outside the control of the City.</p> <p>Section 9.1.2 Precinct Plans and Section 9.1.3 Block Plans</p> <p>It would be desirable to provide criteria as to when these types of plans might be required in the Future Urban Area so that such additional process is not required unnecessarily, particularly given the lack of ability for appeal.</p>	<p>YROP wording with respect to 75% criteria</p> <ul style="list-style-type: none"> • Criteria for use of Block Plans and Precinct Plans should be added
9.2 Zoning Bylaws	<ul style="list-style-type: none"> • Section 9.2.3 Holding Provision By-law – a number of criteria identified are beyond the typical ambit of s. 36 of the <i>Planning Act</i>, including protection of the natural environment, tree preservation, fulfillment of financial obligations including for community services and facilities and approval of Block Plans (which are they not subject to appeal). • Section 9.2.6 Temporary Use Zoning By-law – The policy requires that it conform to the Official Plan. Often such uses do not conform to the Plan and such a requirement unnecessarily limits the use of this type of planning tool. 	<ul style="list-style-type: none"> • The appropriateness and legality of the criteria should be reviewed • Temporary uses should be allowed even if they do not conform to Official Plan
9.3 Division of Land	Requires plans of subdivision and condominium to not only comply with the Plan and adjacent plans of subdivision but also with comprehensive sustainable development guidelines for new communities referred to in 6.2.2 (which are not yet in place), to protect natural and cultural heritage resources and archaeological resources	Conditions of approval which are outside the ambit of the Planning Act should be deleted

City of Markham New Draft Official Plan		
Minotar Submission Detailed Issues February 2013		
Section and Summary	Discussion	Conclusion
9.4 Site Plan Control	<p>and to make provision for adequate transit and community facilities. Also indicate that approval of development conditional on provision of park and public school facilities and other services.</p> <ul style="list-style-type: none"> • Entire City a site plan control area • Conditions of approval are set out in 9.4.6 	Conditions of approval which are outside the ambit of the Planning Act should be deleted
9.6 Submission of A Development Application	<ul style="list-style-type: none"> • Requirements for complete application include presumption of requirements which are both vague and not appropriate such as "Natural Heritage Restoration" and a "Woodland Compensation Plan" 	Certain requirements should be deleted
9.8 Acquisition and Security	<ul style="list-style-type: none"> • Provides direction for Road Widening, Parkland Dedication, Agreements and Cash-in-lieu of Parking • Note: Calculation of density for parkland excludes not the Greenway system but key natural heritage and hydrologic features. 	<ul style="list-style-type: none"> • Land dedication requirements which are beyond the <i>Planning Act</i> should be deleted • Consideration should be given to excluding the Greenway system from the parkland
10. Interpretation		
Section 10.1 Interpreting this Plan	Section 10.1.2 sets out the operative parts of the Plan but should be clearer with specific sections referenced similar to Section 1.5. Similarly Section 1.5 should discuss the status of the preamble sections.	Clarify Sections 10.1.2 and 1.5

City of Markham New Draft Official Plan		
Minotar Submission Detailed Issues February 2013		
Section and Summary	Discussion	Conclusion
Section 10.2 Definitions	<p>In addition, to the issues with specific definitions mentioned above, there are a number of definitions which differ somewhat from the definitions in the YROP. In some cases the rationale is clear (e.g. adjacent lands) and the definition is more specific to the City. However, in other cases, the reason for the difference is not clear and the changes should be reviewed with respect to conformity. The following definitions should be reviewed:</p> <ul style="list-style-type: none"> • Affordable housing • Agriculture-related uses • Alternative energy systems • Archeological Resources • Built heritage resources • Cultural heritage landscape • Cultural heritage resources • Cultural or regenerating woodland • Endangered species • Fish habitat • Floor space index • Major retail • Normal farm practices • Protected heritage property • Provincially rare species • Secondary suite • Sensitive land uses • Vegetation protection zone • Wetlands • Woodland <p>In other cases definitions have been included which are not in the YROP but which differ from definitions in Provincial Plans which may result in issues of conformity. The following definitions should be reviewed:</p>	The definitions should be further reviewed as noted.

City of Markham New Draft Official Plan Minotar Submission Detailed Issues February 2013		
Section and Summary	Discussion	Conclusion
	<ul style="list-style-type: none"> • Adverse effects in relation to the definition in the Oak Ridges Moraine Conservation Plan(OMCP) for “adverse effect”; • Complete communities in relation to the definition in the Growth Plan; • Ecological features in relation to the ORMCP; • Ecological function in relation to the ORMCP; • Natural heritage system in relation to Section 3.2.1 of the Greenbelt Plan; • Prime agricultural area/land in relation to the definitions of agricultural area and agricultural land in the Provincial Policy Statement; <p>In addition the definition of convenience retail and personal service are restricted to the ground floor of residential buildings. Such uses could also be located on the ground floor of office or other employment buildings or institutional uses. The definition seems unduly restrictive.</p> <p>Definitions for ‘Natural Heritage Network’ and ‘Natural Heritage Network Enhancement Area’ should be provided.</p>	

THOMSON ROGERS

LAWYERS

Stephen J. D'Agostino
416-868-3126
sdagostino@thomsonrogers.com

SENT BY EMAIL ONLY

September 25, 2012

Mayor & Members of Council
Development Services Committee
City of Markham
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

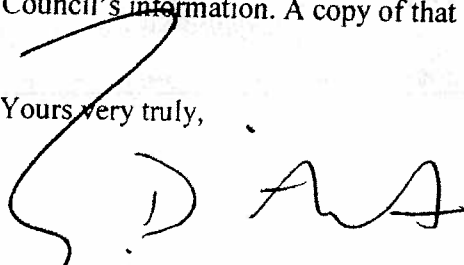
Dear Sirs/Mesdames:

**September 25 Development Services Committee
Item 5 & 10, City of Markham Draft Official Plan
Our File No. 050917**

We wrote to you yesterday on behalf of the McCowan-48 Owners who include Colebay Investments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited, Summerlane Realty Corp., Fairgreen Sod Farms and State Developments requesting that Council defer consideration of the Future Urban Area and Future Urban Area polices in the new draft Official Plan until such time as the Regional Official Plan and ROPA 3 have been approved by the Ontario Municipal Board. A copy of our letter is attached for your convenience.

We have prepared a map showing the location of the McCowan-48 Owners lands for Council's information. A copy of that map is also attached.

Yours very truly,



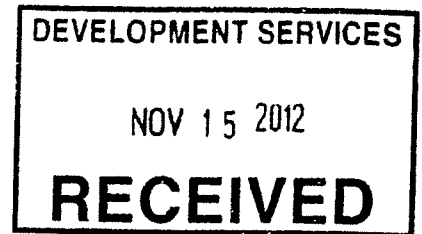
Stephen J. D'Agostino
Stephen Joseph D'Agostino Law Professional Corporation

7

McCowan-48 Land Ownership



November 12, 2012



City of Markham
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

ATTN: Marg Wouters, Senior Manager Policy & Research

Dear Madam:

**RE: CITY OF MARKHAM DRAFT OFFICIAL PLAN
GLENDOWER DEVELOPMENT INC.**

Glendower Development Inc. is a member of the North Markham Landowners Group (NMLG) with approximately 200 acres located on the east side of Woodbine Avenue, north of Elgin Mills.

Several of the comments/concerns with respect to the draft official plan have already been conveyed by Don Given (Malone Given Parsons) by written submission on behalf of the group. Please note, Glendower Development Inc. has specific interest in section 8.5 of the draft OP (entitled "Employment Lands"). These concerns are stated in detail on page 6 of the letter submitted by MGP (attached for your reference).

Further to the above, Glendower Development Inc. reserves it right to provide the City of Markham further comments and concerns it may have with respect to the draft OP.

Yours truly,

A handwritten signature in black ink, appearing to read "Warren Melbourne", followed by a long horizontal line.

Warren Melbourne
Project Manager

WM
ATTS
Glendower/MarkhamDraftOP/CvrLetter



140 Renfrew Drive, Suite 201
Markham, Ontario L3R 6R3
Tel: 905-513-0170
Fax: 905-513-0177
www.mgp.ca

November 9, 2012

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 07-1717

Attention: Marg Wouters, *MCIP, RPP*,
Senior Manager, Policy and Research

Dear Ms. Wouters,

**RE: North Markham Landowners Group
Preliminary Comments on the City of Markham Draft Official Plan - Part 1**

Malone Given Parsons Ltd., on behalf of the North Markham Landowners Group (NMLG), is pleased to submit comments on the September 2012 draft Markham Official Plan. NMLG is a group of developers and landowners that own or control approximately 712 hectares (17 percent) of land in north Markham, generally referred to as the Whitebelt. The attached map, *North Markham Landowners Group: Participating Landowners*, identifies the participants in NMLG, and the locations of their properties.

The City of Markham's draft Official Plan - Part 1 is the culmination of extensive study and thoughtful decision-making by the City. The significant effort by City Staff is clearly evident in the quality of the draft document now before the public for review.

Most importantly, it was time for an Official Plan of this quality and substance. A lot has happened since the last Markham Official Plan was developed in 1987, and subsequently consolidated in 2005. Foundational legislation, including the *Provincial Policy Statement (2005)*, the *Greenbelt Act, 2005*, the *Greenbelt Plan (2005)*, the *Places to Grow Act, 2005*, and *Growth Plan for the Greater Golden Horseshoe 2006*, have permeated all aspects of, and have required fundamental changes to, land use planning in Ontario. Development of a new City of Markham Official Plan is fully warranted.

At this time, we have five comments on the draft Official Plan, and request the opportunity to discuss these with you and City Staff. Additional comments may be provided after we have had

the opportunity to discuss the draft Official Plan in detail with our clients.

1. Field studies of the natural heritage system, completed on behalf of NMLG, do not fully support the proposed Markham Greenway System in North Markham.

Consultants for NMLG (Savanta Inc., R.J. Burnside) have completed almost 5 years of field studies and analyses of the natural heritage systems and the hydrogeology in North Markham. Their work demonstrates that there is justification for a locally significant natural heritage system extending beyond the Oak Ridges Moraine and the provincial Greenbelt boundaries.

Their work also points to a locally significant natural heritage system that is smaller than that proposed in the *Draft Official Plan Section 3* and on *Map 4: Greenway System*. Further, the *Core Linkage Enhancements* shown on NMLG lands are not supported based on science and field observations.

Draft Policies 3.1.2.5 through 3.1.2.9 address securing lands comprising the Natural Heritage Network, with mention of securement at no cost to Markham, or through the Markham Environmental Land Securement Fund. Policy 3.1.2.5 specifically identifies that conveyance of lands within the Natural Heritage Network shall not be considered as contributing to parkland dedication requirements.

As part of the review process for a new Official Plan, NMLG request that the City define and distribute detailed securement policies and practices for considerations by landowners.

With respect to Policy 3.1.2.5, there may be opportunities where the lands conveyed should legitimately receive credit toward to parkland dedication requirements. In recent meetings with the City on other projects, municipal officials have mentioned the possibility of parkland credits.

The new Official Plan will bring the *Markham Small Streams Classification System and Management Protocol (MSSP)* into force for planning approvals. NMLG believe that the aspirations of the MSSP are inconsistent and incompatible with the scale of growth, the unit and population and job densities required by the York Region Official Plan and this draft Official Plan, and the drive for a compact form of development for the future urban areas in North Markham.

With the need to respect provincial, regional and locally significant natural heritage systems, and the legislated requirement to achieve densities of 70 persons and jobs per hectare, and 20 residential units per hectare in new community areas, the capacity to also protect small stream features is limited if not negligible. It is doubtful that development in new community areas

could achieve the required densities and yet still have the small stream features remain viable on those lands.

We request the opportunity to discuss the findings of the NMLG field observations and the impacts of density in North Markham with your staff.

2. The intent of establishing *Countryside Area* requires clarification.

It is acknowledged that significant development will occur in North Markham by 2031. What must not be overlooked though is that North Markham will continue to develop beyond 2031. Reference to York Region's land budget analysis and master plan updates, including the traffic zone forecasts, lead to the conclusion that the Markham Whitebelt will be fully developed by 2051.

The draft Official Plan seeks to protect lands in North Markham beyond the settlement area boundary (when adjusted for the ROPA 3 Urban Area boundary expansion), outside of the Oak Ridges Moraine, the provincial Greenbelt, and hamlets for agricultural activities.

NMLG would support the continued use of those lands for agricultural purposes until such time as the lands would be required to accommodate future employment and residential growth. This position is consistent with the Provincial Policy Statement (2005) which seeks to protect prime agriculture for long term uses (PPS Policy 2.3.1) while also recognizing the need to accommodate growth and to permit the conversion of prime agricultural lands to urban uses (PPS Policies 1.1.3.9 and 2.3.5.1).

NMLG would oppose the designation *Countryside Area* if the intent of draft Official Plan *Section 5.2.1 Countryside Agriculture*, and any other associated Official Plan policies and maps, is to protect these lands for agricultural activities in perpetuity. Growth is going to happen in Markham, and it won't all happen through intensification, especially growth beyond 2031.

The Ministry of Infrastructure has recently released *Places to Grow: Proposed Amendment 2 to the Growth Plan for the Greater Golden Horseshoe 2006*. The proposed amendment to the *Growth Plan* revises Schedule 3 and provides growth forecasts for 2036 and 2041. Schedule 3 identifies higher growth for the Greater Toronto and Hamilton (GTAH) area overall, including significant additional growth in population and jobs for York Region. Some of that regional growth will naturally flow to Markham, and through the review and planning approvals process, the need for and scale of additional growth in North Markham will become apparent.

Based on comments received by the City in 2009/2010 during their Growth Management Strategy initiative, NMLG predicts that the Markham farm community would similarly oppose a permanent agricultural designation on their lands. During those sessions, the farm community articulated the realities of agriculture in the GTAH area and near urban settings, and the limited future for agriculture in Markham outside of the provincial Greenbelt.

NMLG requests the City clarify the intent of the policies and mapping, including Map 9, related to *Countryside Agriculture*, and the *Countryside Area* as shown in the draft Official Plan.

- 3. The draft Official Plan introduces an additional layer of planning approval for future urban areas which would result in a significant delay in development in North Markham.**

Draft Official Plan Section 8.12 Future Urban Area introduces a requirement for the completion and approval of a Conceptual Master Plan prior to granting any development approvals. NMLG supports development of a Conceptual Master Plan for critical infrastructure (water, waste water, arterial and collector roads, stormwater management) in North Markham. The Conceptual Master Plan should not be limited to the *Future Urban Area*, as delineated on Map 1, but should encompass the entirety of the Whitebelt, in recognition that growth will continue after 2031, and that future growth patterns should be aligned with, and not constrain, critical infrastructure that may be required pre- and post-2031. This would be consistent with York Region's transportation and water-waste water master plans that plan beyond 2031.

We acknowledge that the *Planning Act* would not permit lands to be designated beyond 2031, but the Region and the City can at least plan for infrastructure beyond that date.

Beyond conceptual planning for this infrastructure, NMLG is concerned that the other studies and approach to planning as defined in Section 8.12 will result in significant costs and delays in bringing employment and residential lands to market. We consider the 5 year timeline for development of a Conceptual Master Plan and the secondary plans, as mentioned in the Development Services staff report of September 25, 2012 (page 18), to be unrealistically optimistic. We consider a 7 year to 8 year timeline to be more probable.

In his presentation to Development Services Committee on May 8, 2012, Mr. Paul Bottomley, York Region, Long Range Strategic Planning, identified that there is as little as a 5-6 year supply of ground-related housing in Southern York Region, and that it could take 5-8 years to complete all planning approvals for new lands identified as Urban Area in ROPAs 1, 2 and 3. This points to the possibility that there could be period in which no new ground-related housing is available

in Markham. An analysis by Malone Given Parsons for NMLG supports the Region's comments and identifies a 1-2 year gap in the availability of ground-related housing associated with each secondary plan process. In our opinion, with the introduction of development of a Conceptual Master Plan, as defined by draft Official Plan Section 8.12, there is the potential for an even longer period of time when no new ground-related housing would be available in Markham.

NMLG requests that the development of a Conceptual Master Plan encompass all of the North Markham area and be limited to required and future critical infrastructure only. Further, in the interests of ensuring the availability of ground-related housing, we request that development of secondary plans proceed concurrently with development of the Conceptual Master Plan for North Markham.

4. The new Markham Official Plan must address comprehensive planning for retail and especially Major Retail.

The draft Official Plan, in Section 8.3, seeks to integrate retail into Mixed Use areas and to promote the creation of complete communities. NMLG, in general, supports the intent and policies of Section 8.3 Mixed Use. However, we are concerned that the draft Official Plan does not properly address Major Retail as a distinct type of use and land requirement.

The York Region January 2009 and March 2010 *Land Budget* reports identified that 120 hectares of lands would be required for new Major Retail in Markham to satisfy the expected population growth to 2031. The *Land Budget* reports direct 75 hectares of Major Retail to the Future Urban Area, and 45 hectares to the current Urban Area. In the context of the *Land Budget* reports, Major Retail is defined as a 500,000 square foot indoor shopping centre or a 600,000 square foot power centre (a conglomeration of large format retailers). Each Major Retail facility on this scale requires a nominal 20-25 hectare parcel of land. NMLG supports the Region's definition of Major Retail and its estimate of lands required to accommodate it through 2031. Major Retail is a distinct retail activity that often acts as a regional retail hub, attracting shoppers from across the Region.

Draft Official Plan policy 8.4.1.2 states that future large scale retail development will be directed to Mixed Use areas. Major Retail, on the scale defined by York Region, is not compatible with, nor can it be reasonably integrated with, Mixed Use areas.

The draft Markham Official Plan defines Major Retail as big box stores, retail warehouses and shopping centres with individual premises exceeding 1,000 square metres of gross floor area and/or combined gross floor area of retail exceeding 3,000 square metres. This definition is not

representative of true Major Retail. It needs to be revised to be consistent with York Region's *Land Budget* report.

New Major Retail, at the scale of indoor shopping centres and power centres, will be needed in Markham. The new Official Plan must acknowledge and support this need with Official Plan policies that comprehensive plan for Major Retail.

5. The vision for and viability of employment lands in North Markham requires fundamental review.

NMLG acknowledge that employment lands are required in North Markham.

Draft Official Plan *Section 8.5 Employment Lands* identifies four land use designations for employment areas. The designations represent very traditional forms of employment and business parks. However, the traditional business park as it now exists is land consumptive, makes poor use of infrastructure, and is not transit-supportive. We question whether it would be economically feasible to develop employment lands in North Markham on the bases described in the draft Official Plan.

NMLG believes the draft Official Plan provides the opportunity for Staff and the municipality to re-consider the fundamental nature of business parks in Markham, and especially North Markham, including by addressing:

- What kind of employment Markham really wants to attract,
- How to get more use out of those lands for more hours of the day,
- Expanded permissions within employment areas,
- The relationship of the employment lands to adjacent retail and residential areas,
- How to efficiently provide transit service to these lands.

NMLG would welcome the opportunity to work with Staff to explore options and to create a new vision and new standards for employment lands in North Markham.

TO: Marg Wouters

November 7, 2012

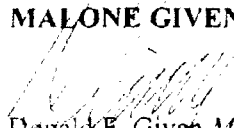
RE: North Markham Landowners Group – Preliminary Comments on the Draft Markham Official Plan

The above represent the comments NMLG has, at this point in the review process, with the September 2012 draft Markham Official Plan – Part 1. Additional comments may be submitted at a later date.

Please contact me at 905.513.0170 to arrange a meeting to discuss these NMLG comments.

Yours very truly,

MALONE GIVEN PARSONS LTD.



Donald F. Given *MCIP, RPP*

President

dgiven@mgp.ca

Attachment: Map *North Markham Landowners Group: Participating Landowners*

cc: North Markham Landowners Group
Tom Hilditch, *Savanta Inc.*
Joanne Thompson, *RJ Burnside*
Nancy Mather, *Stonybrook Consulting*
David Richardson, *MMM Group*
Jeff King, *MMM Group*



Gatzios Planning + Development Consultants Inc.

File No: 65MA-1116

January 21, 2013

City of Markham

Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Mr. Jim Baird
Commissioner of Development Services

**Regarding: COMMENTS ON MARKHAM'S NEW OFFICIAL PLAN
SEPTEMBER 2012 DRAFT OF PART 1
ON BEHALF OF THE BERCZY GLEN LANDOWNERS GROUP
CONCESSION 4 BLOCK
WEST OF WARDEN AVENUE AND SOUTH OF ELGIN MILLS ROAD EAST**

Dear Mr. Baird:

We write as planning consultants on behalf of the Berczy Glen Landowners Group (the 'BGLG') regarding their lands in Markham.

The BGLG Lands

The BGLG lands are located in the Region of York's ROPA 3 Urban Area Expansion, specifically west of Warden Avenue, south of Elgin Mills Road East, east of the Hydro Corridor and north of existing residential development along the north side of Major Mackenzie Drive East. In total, the BGLG planning area is approximately 250 hectares, with landowner participation at this time in the BGLG representing approximately 210 hectares. A tributary of the Berczy Creek traverses the area.

The BGL Group agrees with and has been supportive of the Region of York's inclusion of this area in the ROPA 3 Urban Area Expansion. The BGL Group has retained a team of consultants and solicitors, including ourselves, to: a) ensure that their lands are included in the final approved ROPA 3 Urban Area Expansion, and b) undertake the planning, engineering and associated work necessary to apply for and achieve planning permissions to permit residential community urban development on their lands.

The BGL Group has retained the services of Mr. Mac Cosburn as its coordinator, Mr. Nick Poulos to provide transportation consulting services, and also McGill Development Services to provide municipal servicing input to this planning process.

Our comments to the September 2012 draft of PART 1 of the new Official Plan as it applies to the subject property are as follows.

Current Official Plan designation

The land use designation applying to these lands on Schedule A – Land Use in the current in-effect Official Plan is '**Agriculture A1**'. Schedule D – Urban Service Area shows that these lands are outside of the '**Urban Service Area**' of the City of Markham.

In summary, the current Official Plan permits only Agricultural uses, and prohibits any form of urban development on the BGLG lands.

Proposed new Official Plan designations

The proposed Region of York Official Plan ROPA #3, adopted but as yet unapproved, proposes to include these lands, as well as others, in the '**Urban Area**' of the Region, thereby permitting urban land uses.

In conjunction with the proposed new Region of York Official Plan ROPA #3, the draft new Markham Official Plan includes these lands in the '**Neighbourhood Area**' on Map 1 – Markham Structure, and shows them as '**Future Urban Area**'. The lands associated with the Berczy Creek are shown as '**Greenway System**'.

Appendix A to this letter, being Map 3 – Land Use shows that these lands are '**Future Neighbourhood Area**', and '**Greenway**' for the lands associated with the tributary of Berczy Creek that transverses the area.

Maps 4, 5, 6, 7 and Map 9 illustrate the proposed environmental designations specifically associated with the valleylands associated with the Berczy Creek that traverses the area, specifically 'Greenway System', 'Greenbelt Natural Heritage System' and/or 'Greenbelt Protected Countryside'.

Map 10 – Road Network shows that Warden Avenue alongside the BGLG lands is a 'Region of York Arterial Road', as is Major Mackenzie Drive East located to the south of the lands. Elgin Mills Road is shown as a 'Major Collector Road up to 30.5m row width'.

Map 11 – Urban Area and Built-Up Area illustrates the BGLG lands as outside of the '**Urban Area**' but within the '**Future Urban Area**'.

In summary, the proposed designations in the draft new Markham Official Plan for the BGLG lands indicate that the developable portions of the lands are proposed for future community / residential and associated uses. The non-developable portions of the BGLG lands associated with the Berczy Creek are proposed for various environmental

designations. The BGLG landowners are generally satisfied and supportive of the proposed designations for these lands.

Comments to the proposed Part 1 of the new Official Plan

The BGLG landowners are in full support of the City's Official Plan inclusion of these lands as '**Future Urban Area**', and just as importantly of the proposed designation of '**Future Neighbourhood Area**' signalling that the future land uses are to be community / residential in nature.

At this time, we have the following specific comments to some of the proposed policies in the draft Part 1 of the Official Plan. Additional comments on these and other portions of the proposed Part 1 may be provided shortly.

Chapter 3 – Environment

The BGLG landowners are currently retaining the services of an environmental consultant and may provide comments to the policies in this Chapter shortly.

Chapter 4 – Healthy Neighbourhoods & Communities, and Chapter 6 – Urban Design and Sustainable Development

It appears that the cumulative costs of all the studies that are being required in Chapter 6, including but not limited to the provision of public art, open space and key natural feature enhancements, streetscape obligations, open space plans, architectural detailing, sustainability requirements, financial analysis and many other requirements will result in the inability to deliver a product that meets or addresses in a meaningful way the affordability requirements under Chapter 4 of the Plan.

The obligations for studies, justifications and dedications or contributions in total and in many individual instances exceed statutory requirements. While some clauses of Chapters 4 and 6 use the word "encourage" for some of the requirements noted above, we know from experience that this results in most of these requirements forming part of the subdivision or site plan approval process as mandatory items.

We urge the City to reconsider the detail and scope of all of the requirements for development permissions in total from all Chapters of the proposed new Official Plan, and carefully balance the requirements that the City has for the end product in terms of quality of development, design and materials and also affordability of the end product.

Chapter 7 – Transportation, Services and Utilities

We may be providing additional comments to the policies in this Chapter shortly.

Chapter 8 – Land Use

We note that the policies for the Future Urban Area in section 8.12 require various studies in support of development in the Future Urban Area, including a Subwatershed Study, a Conceptual Master Plan, a Master Environmental Servicing Plan, a Transportation Plan, and various others. It is unclear if any or all of these studies will be required to address the entire Future Urban Area in its totality, or if they may be prepared on a concession block or other smaller geographic basis. We urge the City to allow the preparation of as many studies as possible on a geographic basis smaller than the entire Future Urban Area, which may be very problematic to orchestrate and coordinate given the large geographic extent, the various land uses, and the very large number of landowners in the Future Urban Area with divergent timing and other interests.

We also note that policy 8.12.1.3 j) addresses Phasing of Development and Detailed Planning, and once again urge the City to allow flexibility to the landowners in the Future Urban Area instead of imposing a rigorous phasing schedule to specific lands.

Chapter 9 – Implementation

Our comments to Chapters 4 and 6 as found above also apply in many ways to the requirements found in Chapter 9, especially the list of requirements for Secondary Plans as found in section 9.1. Again, we urge the City to consider the increasingly onerous submission and study requirements in relation to the ultimate goals for high quality developments, buildings and affordability factors expressed elsewhere in the Plan.

Conclusion

In conclusion, the BGLG Landowners Group are generally supportive of the policy direction for their lands, and are pleased with the proposed designations in the draft new Official Plan, however urge Council to consider the cumulative and ultimate processes, costs, requirements and product of the development process as mandated in this proposed Official Plan.

We trust the above submission will be considered by staff and Council, and we may be submitting additional comments shortly. Kindly advise if a meeting with staff is required to review these matters, we would be pleased to attend at staff's earliest convenience.

Sincerely,

Gatzios Planning + Development Consultants Inc.

A handwritten signature in black ink, appearing to read 'M Gatzios', with a stylized flourish at the end.

Maria Gatzios, MCIP RPP

Enclosures.

Copy to: BGLG landowners
Mr. Mac Cosburn, BGLG Manager
Mr. Don Hindson, Cattanach Hindson Sutton VanVeldhuizen LLP
Ms. Lyn Townsend, Townsend and Associates, Solicitor
Mr. Nick Poulos, Poulos & Chung Limited
Mr. Doug McGill, McGill Development Services

MARKHAM
OFFICIAL PLAN

MAP 3 - LAND USE

SEPTEMBER 2012

- Greenway
- Countywide
- Hamlets
- Transportation and Utility
- Parkway Bolt West
- Private Open Space
- Residential Estate
- Residential Low Rise
- Residential Mid Rise
- Residential High Rise
- Mixed Use Low Rise
- Mixed Use Mid Rise
- Mixed Use High Rise
- Mixed Use Office Priority
- Mixed Use Health Care Campus
- Mixed Use Heritage Main Street
- Commercial
- Business Park
- Business Park Office Priority
- Service Employment
- General Employment
- Industrial Area
- Future Urban Area
- Future Neighbourhood Area
- Future Employment Area
- Site Subject to S 5.1.5



Appendix A - Subject Lands

Bercozy Glen Landowners Group [] Subject Lands

City of Markham

AIRD & BERLIS LLP

Barristers and Solicitors

Jane Pepino
Direct: 416.865.7727
E-mail: jpepino@airdberlis.com

Mary 10



November 30, 2012

BY REGULAR MAIL

Mr. Jim Baird, MCIP, RPP
Commissioner of Development and Planning
City of Markham
101 Town Centre Boulevard
Markham, ON
L3R 9W3

Dear Mr. Baird:

**Re: Metropia (Markham) GP Corporation Comments on the September 2012
Draft Official Plan**

We are writing this letter on behalf of Metropia (Markham) GP Corporation (Metropia). As you know, Metropia has submitted an Official Plan Amendment (OPA) and Zoning Bylaw (ZBLA) application for their property at 5112, 5122 and 5248 14th Avenue and 7768, 7778, 7788 and 7798 McCowan Rd (City File Number: OP/OZ 12 117316). MMM Group and Aird & Berlis have reviewed the Draft Official Plan issued September 2012 on behalf of Metropia in relation to these land holdings and offer the following comments.

We are supportive of the strategic growth priorities as identified in Section 1, including emphasizing intensification within the built up areas and the provision for a diverse mix of housing and sustainable community design and investment. However, we note that the draft Official Plan proposes to redesignate the Metropia lands Residential Low Rise, which permits lower scale buildings such as low rise, semi-detached and townhouses to a maximum of 3 storeys, and Mixed Use Low Rise, which recognizes the potential to transition an area from its existing use to allow for a range of uses, including residential and commercial. The Mixed Use Low Rise designation is found in locations that optimize opportunities for access to transit, both existing and planned, and when developed will help achieve a complete community in the existing neighbourhood. Buildings on lands designated Mixed Use Low Rise shall have a minimum building height of 2 storeys and a maximum building height of 3 storeys, implemented by a maximum overall density of 1.5 FSI.

The proposed development contains two integrated components, the first being a 12 storey mixed use building consisting of 175 units and retail uses at grade. The second is 3-storey multiple unit stacked townhouses containing a total of 375 units or 5 units per townhouse complex. Parking will be located underground for both components. The overall density is 2.05 FSI.

Based on the draft Official Plan in our submission, the relevant designation to accommodate the proposed development would fall into the Mixed Use Mid Rise

designation, which permits a maximum of 12 storeys and a FSI of 2.0 to 2.5. This designation is more appropriate for the Metropia lands for the following reasons:

- The proposed development is compatible with surrounding land uses. There is limited direct interface with existing residential land uses except to the community to the west as other surrounding land uses include institutional to the east, commercial to the south and potential future residential to the north. There is no unacceptable land use impact to the west as the 12 storey building has been located at the southeast portion of the site allowing for significant separation and transition and reduced shadow impacts. Further, the stacked townhouses will employ a significant setback from 7.5 m to 10.5 m from the existing residential uses, which will allow for appropriate landscape screening to be provided;
- The site is located within the existing urban area and helps achieve the City's growth strategy by delivering sustainable development that provides a mix of housing types and residential and commercial land uses;
- The proposed development is located at a site that is suitable for intensification of lands that are currently underutilized and that are within an area that has limited opportunity for such intensification due to the built out nature of the neighbourhood;
- The proposed development displays good urban and architectural design. The massing of the mixed use building has been designed to narrow from floors 9-12, which will mitigate the perceived height and mass of the building from the street. Furthermore, the design has been arranged to provide safe movement and circulation of pedestrians and vehicles and offers connections to nearby open space, a mid-block walkway from the existing residential neighbourhood to the west offering a pedestrian connection to the site and to nearby transit. Enhanced landscape elements have been incorporated into the streetscape design and community amenity spaces have been integrated within;
- The proposed development is located and designed in a manner that is consistent with reducing auto dependence and takes advantage of the existing and planned transportation infrastructure;
- The site is adjacent to two regional arterial roads that provide excellent road access, and is already supplied with public transit and direct connections to the Provincial Highway System; and,
- The proposed development is technically feasible as demonstrated in a number of technical reports that were submitted in association with the OPA and ZBLA applications for the Metropia lands.

Further, the Metropia lands meet the development criteria for new mixed use development as outlined in Section 8.3.1.3 of the draft Official Plan:

- **Comprehensive Block Plan:** The development application provided a conceptual

master plan demonstrating how the lands to the north can be developed in a reasonable manner and how servicing could occur;

- **Placement of buildings and relationship to street:** The proposed development concept includes appropriate setbacks from the street and existing residential neighbourhood and have a good interface with the street and internal road network;
- **Enhanced Pedestrian Safety and Comfort:** The mixed use building located on the subject property in order to achieve the highest density and height at the corner intersection, and transitioning down as the built form approaches the existing neighbourhood to the west; thus minimizing shadow and sun impacts and respecting the angular plane requirements;
- **Vehicular access:** The internal road system has been designed to enhance the pedestrian experience through the provision of streetscaping elements, walkways and various connections to the arterial road network, transit and commercial amenities.
- **Location of parking:** Parking has been located entirely underground, with the exception of 8 spaces located at the back of the mixed use building for ease of access to the retail facilities; and loading and garage areas have been appropriately screened; and
- **Landscape buffers:** The provision of a significant side yard setback, allows for enhanced landscape buffers between the multi-unit stacked townhouses and the neighbourhood to the west.

The draft Official Plan was prepared in part to implement the City's Growth Management Strategy. It is also important to note that while the Metropia lands may not have been explicitly identified in Map 1 – Markham Structure of the draft Official Plan as a growth hub, it is our opinion that the redevelopment of this site will not take away from the City's intensification hierarchy for all the reasons list above.

In conclusion, we would request that the draft Official Plan and associated schedules be modified to apply a Mixed Use Mid Rise designation to the Metropia lands.

We request that you consider these comments in your update of the draft Official Plan.

We would be pleased to meet with you to discuss further and would appreciate being notified of any meetings relevant to this process.

November 30, 2012
Page 4

Yours truly,

AIRD & BERLIS LLP



per: Jane Pepino

JP/PM

cc. Ryan Millar
Kristy Shortall

13569763.2

DEVELOPMENT SERVICES
NOV 01 2012
RECEIVED

MAYLAR CONSTRUCTION LIMITED
c/o **MICHAEL LARKIN**
9488 McCowan Road, Markham, Ont., L3P 3J1
Tel. 905-294-0535 Fax 905-294-8727

November 1, 2012

Ms. Margaret Wouters
Senior Manager of Policy and Planning
Town of Markham
101 Town Centre Blvd.,
Markham, Ontario
L3R 9W3

Dear Ms. Wouters:

Re: Change request for Markham's new Official Plan

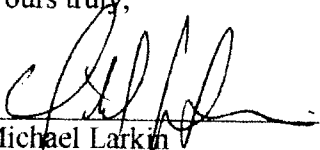
Maylar Construction Limited is the owner of block 134 Plan 65M, 3582 and Block 99 Plan 3733 on the south/west corner of McCowan Road and Wilfred Murison Avenue in Berczy Village. The two blocks total area equals 1.07 acres.

This property is on a main transportation corridor and is in close proximity to public parks.

Presently these lands have been missed in the Draft mapping. The lands are designated "*Neighborhood Commercial*" in the present official plan. We are requesting to have the designation changed to "*Mixed use Mid Rise*" in Markham's new official plan. Please consider this request and we are available for any further consultation.

If we may be of any assistance, please do not hesitate to call.

Yours truly,


Michael Larkin
ML/ml

- c.c. Mr. Gary Seller – Planner of the West District
- Mr. Jim Baird – Commissioner of Development Services

JEFFREY E STREISFIELD

BA LLB MES, Land Lawyer™

October 22, 2012

**Via Email to judycarrol@markham.ca
officialplan@markham.ca**

Mayor and Members of City Council
City of Markham
101 Town Centre Blvd.
Markham, ON
L3Y 9W3

Dear Mayor and Members of City Council:

**Re: New Draft City of Markham Official Plan
Public Meeting - November 6, 2012
4038 Hwy 7 East (north side of Hwy 7 just east of Village Parkway),
(the "Subject Lands")**

I am counsel to Scardred 7 Company Ltd., owner of the subject lands.

These lands are located on an important Regional Corridor, opposite the newly constructed commercial buildings on the Times Uptown (Markham Centre) lands. Attached is a photograph of the subject lands prepared by Michael Manett Photography, May 2012.

Our client intends to maintain its commercial uses on the subject lands, and otherwise have them evolve (from their site specific OPA 15 commercial permissions), into a mixed-use mid-rise land use designation, consistent with the lands on the south side of Highway 7.

Accordingly, we would ask that Staff be directed to amend the land use designation map 3 so as to denote the future land use designation of the subject lands in RED.

416.460.2518
jeffrey@landplanlaw.com
www.landplanlaw.com

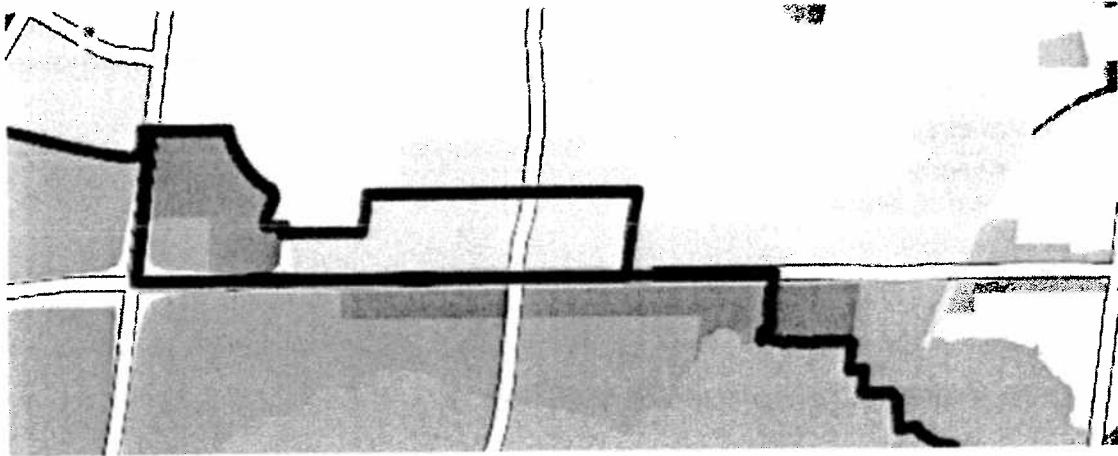
310 Hillhurst Blvd.
Toronto M6B 1N1

51

JEFFREY E STREISFIELD

BA LLB MES, Land Lawyer™

Excerpt from draft Markham OP - Map 3



We reserve the right to provide additional comments in connection with the draft OP, especially in relation to proposed policies that have the effect of imposing future development costs on the subject lands and otherwise rendering intensification of the subject lands non viable.

Would you also provide me with notice of any future public meetings and or decisions taken by City council in connection with its proposed new OP.

Yours truly,

Jeffrey Streisfield

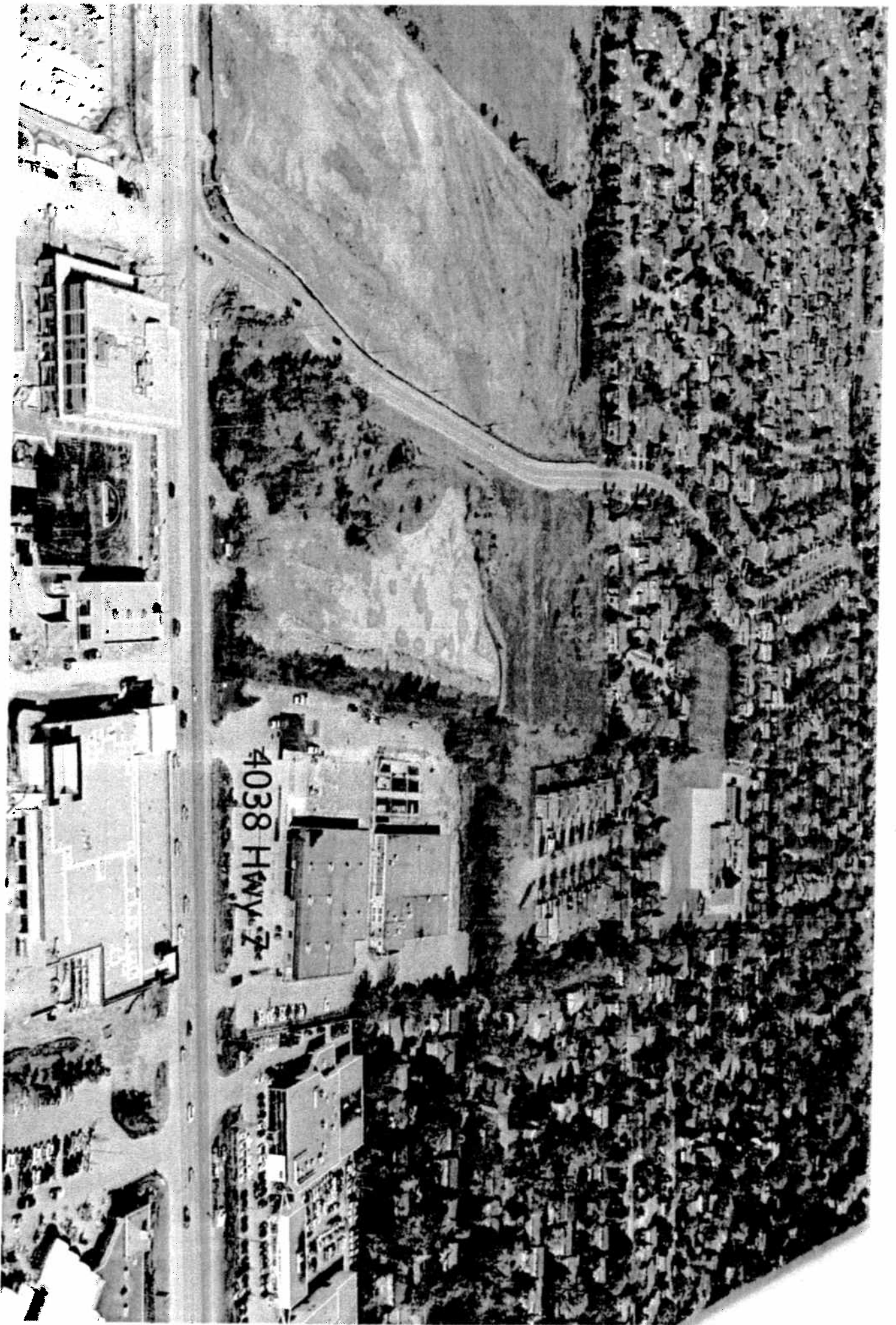
Jeffrey Streisfield
Land Lawyer™ & Development Manager

cc. Commissioner of Planning
Client

Encl. - site photo

416.460.2518
jeffrey@landplanlaw.com
www.landplanlaw.com

310 Hillhurst Blvd.
Toronto M6B 1N1



Kanji, Teema

Subject: FW: Draft Markham Official Plan - Proposed Chapter 11 Policies - DSC Mtg Feb 5, 2013

From: Jeffrey Streisfield Land Law [<mailto:jeffrey@landplanlaw.com>]

Sent: February 4, 2013 4:40 PM

To: Clerks Public

Cc: Moiz Behar

Subject: Draft Markham Official Plan - Proposed Chapter 11 Policies - DSC Mtg Feb 5, 2013

I would be grateful if you forwarded this communication to DSC.

I represent Peak Garden Developments who is very much interested in the City's new official plan process. To that end a submission was made in connection with our client's lands at 4038 Hwy 7.

The purpose of this communication is to seek clarification on two matters that are referred to in the staff report to committee and Appendix A thereto:

1. There are numerous references in chapter 11 to the need to enter into a developer group agreement "where appropriate". What criteria is the City using or proposing to use in order to determine whether such an agreement is "appropriate"?
2. Under Policy 11.18.5.5 which applies to World On Yonge, there is reference to a sketch plan which contains a note thereon as follows: - - - - private street system. What is a private street system and what standards are employed to determine same? Where this symbol is employed, does the City obtain an easement for public access?

Would you please provide me with notice via email in respect of any future meetings regarding the City's new OP, including any proposed transition provisions or sections.

Thank you for your consideration of this matter.

Kindly confirm receipt by reply email

Thank you.

Jeffrey E Streisfield, BA LLB MES
Land Lawyer & Land Development Manager

LANDLAWTM

<http://landplanlaw.com>

tel: 416 460 2518

skype: Jeffrey_Streisfield

Planning & Development Approvals
Municipal & Environmental Law
Boundary & Property Disputes
Trials, Hearings, OMB and Court Appeals

Creating and Protecting Land Value in Ontario TM

This e-mail may be privileged and/or confidential, and the sender does not waive any related rights and obligations.



April 8, 2011

Town of Markham
 Clerk's Department
 101 Town Centre Boulevard
 Markham, ON
 L3R 9W3

140 Renfrew Drive, Suite 201
 Markham, Ontario L3R 6B3
 Tel: 905-513-0170
 Fax: 905-513-0177
 www.mgp.ca

MGP File: 07-1693

VIA Email: judycarroll@markham.ca

Dear Mayor Scarpitti and Members of Council:

**RE: April 12, 2011 Special Meeting of Markham Council- Official Plan Review
 404/19th Ave Developments Inc. – north east Hwy 404 and 19th Ave.**

We are land use planners for the above-captioned property in the 404 North Business Park. Town maps identify part of the property as Greenway because it is shown to be in the provincial Greenbelt Plan. We have previously asked that the maps not identify those parts as Greenway since they are subject to special provisions and pending removal. We request that the Town attend to this in the Official Plan Review.

The Town and the Region of York Councils last year requested the Province delete that part of the property from the Greenbelt Plan and amend the Growth Plan accordingly. That part was included erroneously in the Oak Ridges Moraine and therefore included in the provincial Greenbelt Plan. The landowner successfully proved the lands should not be included and the Councils agreed.

Secondly, an additional 14 acre part of the property adjoining that first part is in the Greenbelt Plan but is 'grandfathered' since it was approved for employment land use in the 404 Business Park Secondary Plan (OPA 149) which pre-dates the Greenbelt Plan. It was included in the Greenbelt Plan only because it allegedly was next to a part of the Oak Ridges Moraine, which was subsequently proved incorrect (see attached map).

The Province is considering the Town and Region request for removal of the part from the Greenbelt Plan; the new Official Plan maps and schedules should note this and of course should the Province remove the land from the Greenbelt Plan before adoption of the new Markham Official Plan, the Greenway designation should be removed completely.

We thank you for the opportunity to provide our initial comments on the Town's new Official Plan.

Yours very truly,

MALONE GIVEN PARSONS LTD.

Jim Kirk, MCIP, RPP
 Partner

Attachments: marked up extract of Markham Proposed Greenway Components - June 2009;
 MGP letter March 30, 2011

cc: Mr. A. Luo, 404/19th Ave Developments Inc.











Environmental Policy Review and Consolidation Study

PROPOSED GREENWAY COMPONENTS

June 2009

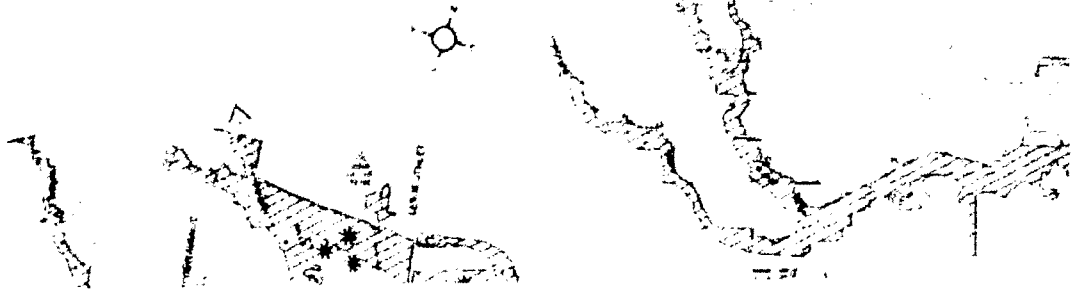
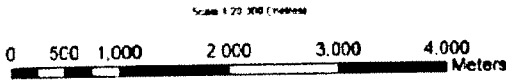
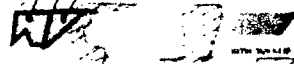
Legend

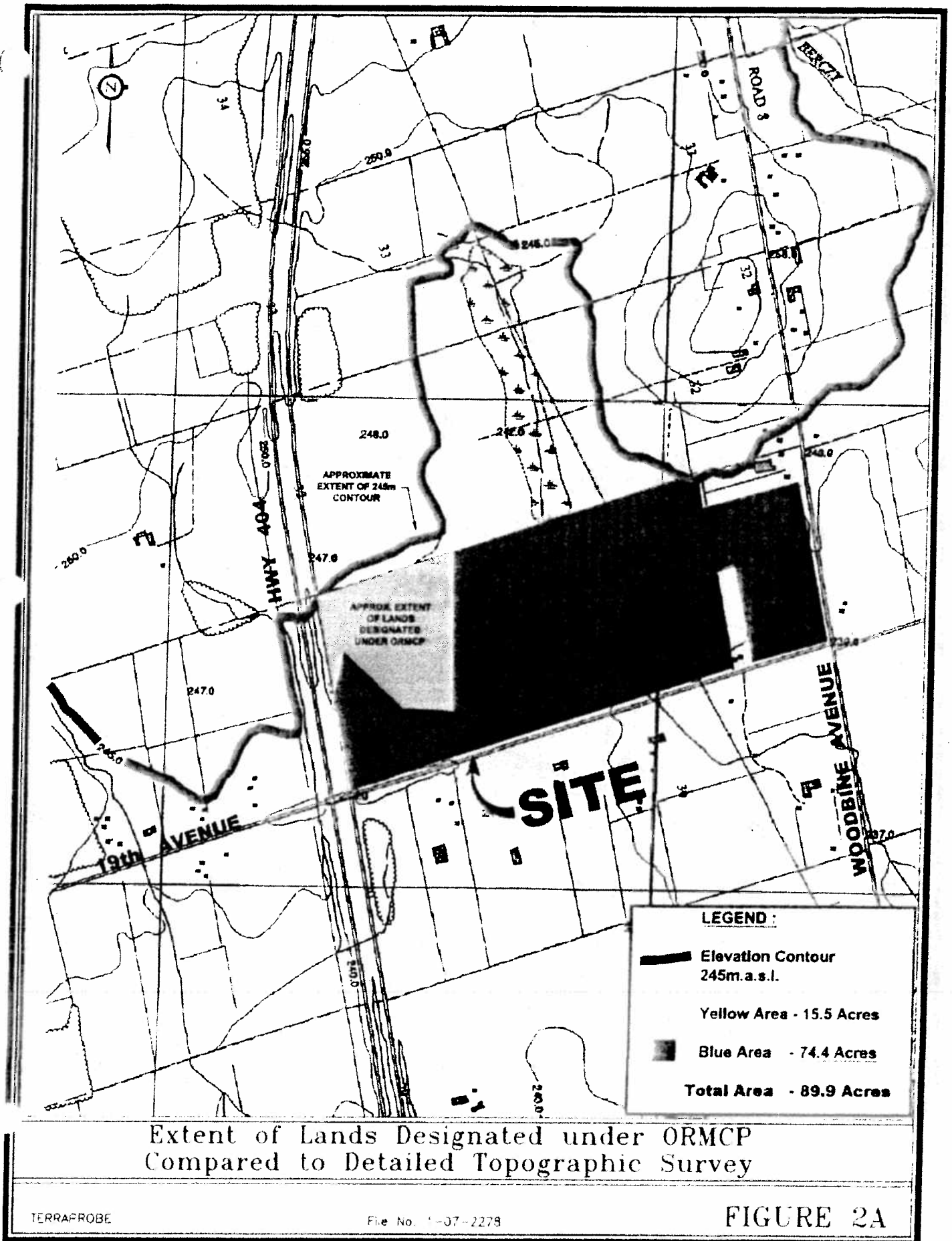
Greenway System

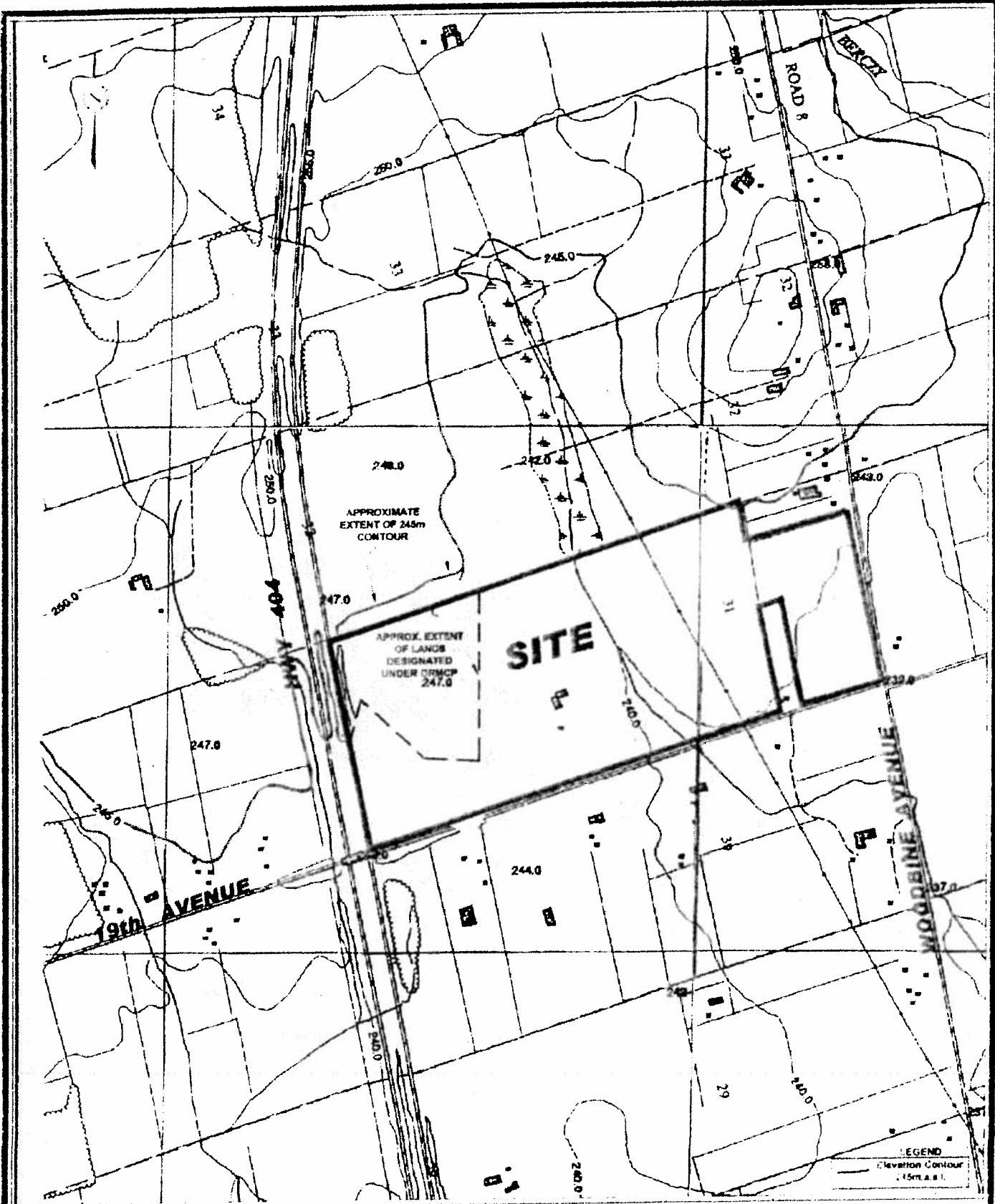
-  Oak Ridges Moraine Planning District
-  Greenbelt Agriculture
-  Natural Heritage Network
-  Natural Heritage Network - Enhancement Area
-  Proposed Hamlets (Subject to Hamlet Policies in the Official Plan)
-  Special Policy Area (Subject to Special Policy Area Policies in the Official Plan)
-  Linkages
-  TransCanada Pipeline

Council's requested deletion from Greenbelt Plan June 2010

"Grandfathered" OPA 149 - 5.1.9 e)







CONTOUR OF 245m CONTOUR FROM 1971 ONTARIO BASE MAP AND RECALCULATED TOPOGRAPHIC SURVEY DATA, 1971

Received at P.m
NOV 6, 2012

14



November 6, 2012

Mayor Frank Scarpitti
Markham Civic Centre
101 Town Centre Blvd
Markham ON
L3R 9W3

Dear Mayor Scarpitti:

Re: Lebovic Lands East and West Side of 9th Line north of 19th Avenue

I am writing to object to the Greenway System designation which has been shown on our property in the proposed new Official Plan. This land is in private ownership and is not valley land or environmentally sensitive.

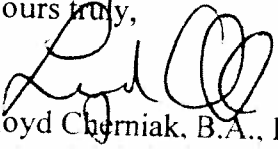
We have attached a copy of the Draft Official Plan Map 1 showing the location of the land and a copy of the Rouge Park Plan showing that they are not public lands.

These properties are currently serviced by the Regional Sewer which runs along 9th Line and through the west property servicing the Town of Stouffville. It is our view that this property will become settlement area adjacent to Stouffville in the future and is clearly not intended for public use and is not environmentally sensitive.

We intend to participate in the planning process and will provide environmental and planning reports showing that it is not geographically part of the Oak Ridges Moraine, and should not be designated as greenway along with public lands in Markham

Please provide me with notice of any decision of Council on this matter.

Yours truly,

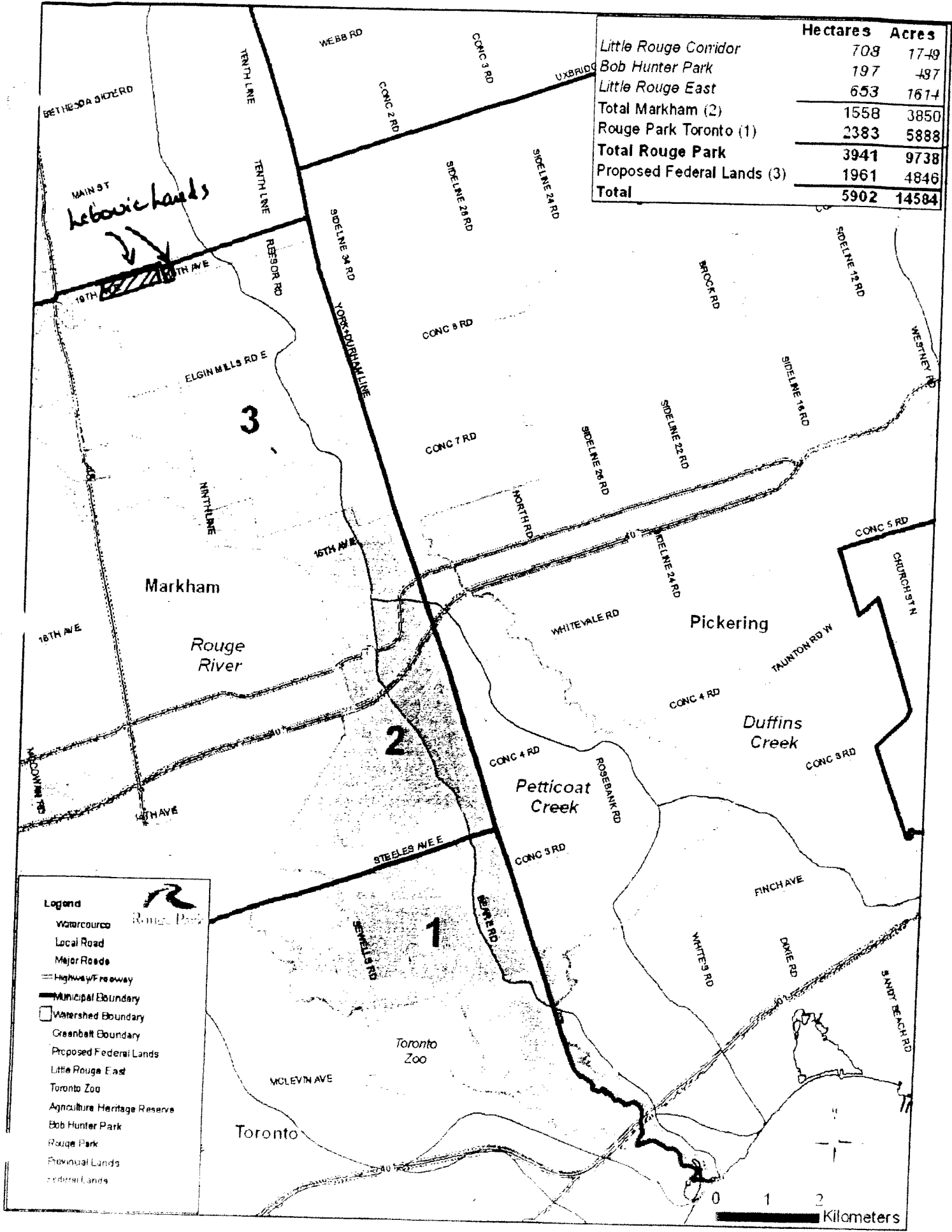

Lloyd Chermiak, B.A., P.L.E.
Executive Vice President

cc. Clerk's Department
M. McQuaid Q.C.
G. Easton MCIP

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MEMBER

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	Hectares	Acres
Little Rouge Corridor	708	1749
Bob Hunter Park	197	497
Little Rouge East	653	1614
Total Markham (2)	1558	3850
Rouge Park Toronto (1)	2383	5888
Total Rouge Park	3941	9738
Proposed Federal Lands (3)	1961	4846
Total	5902	14584



hebevic lands

3

2

1

- Legend**
- Watercourse
 - Local Road
 - Major Roads
 - Highway/Freeway
 - Municipal Boundary
 - Watershed Boundary
 - Greenbelt Boundary
 - Proposed Federal Lands
 - Little Rouge East
 - Toronto Zoo
 - Agriculture Heritage Reserve
 - Bob Hunter Park
 - Rouge Park
 - Provincial Lands
 - Federal Lands

0 1 2 Kilometers

MMM Group Limited
110 Commerce Valley Drive West
Toronto, ON Canada L5T 0A9
T: 905.882.1100 | F: 905.882.0155
www.mmm.ca

January 9, 2013

10.03077.001.P01

Mr. Jim Baird, MCIP, RPP
Commissioner of Development and Planning
City of Markham
101 Town Centre Boulevard
Markham, ON
L3R 9W3

Dear Mr. Baird,

RE: Comments on the September 2012 Draft Official Plan

We are writing this letter on behalf of Chris Roidis and Kathy Roidis. The Roidis' owns lands located at 9963 Woodbine Avenue and over the past several years has been investigating the potential of redeveloping these lands for a three storey professional building situated at the corner of the intersection and associated parking behind. As way of background, the City and TRCA were approach in 2010 on the potential of these lands. Based on these conversations it was agreed that the most significant challenge to redeveloping this site was the floodplain mapping, which had recently been updated, resulting in significant impact to the viability of the site. It was determined that the client needed to demonstrate feasibility of redeveloping by confirming compliance to Toronto Region and Conservation Authority (TRCA) policies and regulations by undertaking a floodplain analysis in order to proactively address the feasibility of the concept, confirm safe access and mitigation of flood prone areas to the satisfaction of TRCA.

A flood hazard analysis brief was undertaken by MMM to evaluate the flood limits of the systems. The results of this study illustrated that the property's frontage on Major Mackenzie Drive, which was previously fully inundated based on the one dimensional floodplain analysis undertaken by TRCA was in fact able to accommodate a commercial entrance to the property. This study report was submitted to the TRCA for review, however it was noted by TRCA that they did not have sufficient in-house resources for a full technical review of the report and have requested a peer review be undertaken. We are in the process of organizing this peer review process with the TRCA. However, based on the work done to date, we are confident that the floodplain mapping that was prepared by TRCA is not reflective of the true situation on site.

As such, MMM Group has reviewed the City's Draft Official Plan on behalf of our client in relation to these land holdings and would like to offer the following comments.

In general, we are supportive of the strategic growth priorities as identified in Section 1, including emphasizing intensification within the built up areas and the support for diversity of housing and employment opportunities that will contribute to a resilient economy. However, we note that the draft Official Plan purposes to designate the subject lands "Residential Estate", which refers to lands within an existing subdivision that consist of large residential lots; and "Greenway", which is meant to recognize areas of natural heritage and hydrologic features.

As described above, a significant amount of work has been undertaken with respect to confirming the boundaries and impacts of the hydrologic feature on site. This work should be reflected in the Official Plan by refining the location of the Greenway designation on the site in line with the attached plans.

Further, based on our work to date, we also believe that the Residential Estate designation applied to the remainder of the site is not the highest and best use of the subject lands. Based on the draft Official Plan, the relevant designation to accommodate the proposed concept would be Mixed Use Low Rise, which is intended to integrate residential uses with small scale retail, service and professional office. We believe this designation is more appropriate for the subject lands as:

- The proposed development is compatible with surrounding land uses. There is limited direct interface with existing residential land uses except to the community to the east and west as other surrounding land uses include institutional to the south, commercial and open space to the north. There is no unacceptable land use impact to the east and west as the 3 storey building has been located at the northwest portion of the site allowing for significant separation and transition.
- The site is located within the existing urban area and helps achieve the City's growth strategy by delivering sustainable development that supports diversity in job opportunities.
- The site is located at the intersection of two regional arterial roads that provide excellent road access to a development of this nature.
- Further, these roads are also identified as transit priority corridors, including Major Mackenzie which is identified as a Rapid Transit Corridor which supports the City's Community Infrastructure Strategy that seeks to integrate infrastructure such as transit with a full range of services.
- The proposed development of a Professional building will help achieve the City's policies to promote economic development, including maintaining a range of suitable sites for such opportunities.
- The proposed building type, density and height is consistent with the Official Plan policies for Mixed Use Low Rise.

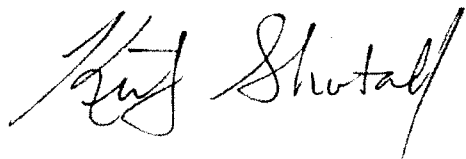
We would also note that there are several active development applications in the immediate area, including several mixed use projects on the northwest side of Major Mackenzie and Woodbine associated with Cathedraltown, as well as the expansion of the institutional use just south of the subject lands that demonstrate that this intersection/area is evolving and needs to be assessed in a comprehensive manner.

In conclusion, we would request that the draft Official Plan and associated schedules be modified to apply a Mixed Use Low Rise designation and modified Greenway designation to the subject lands.

We request that you consider these comments in your update of the draft Official Plan. We would be pleased to meet with you to discuss further and would appreciate being notified of any meetings relevant to this process. Please contact me at 905-882-1100 ext. 6835 or shortallk@mmm.ca if you have any questions or concerns.

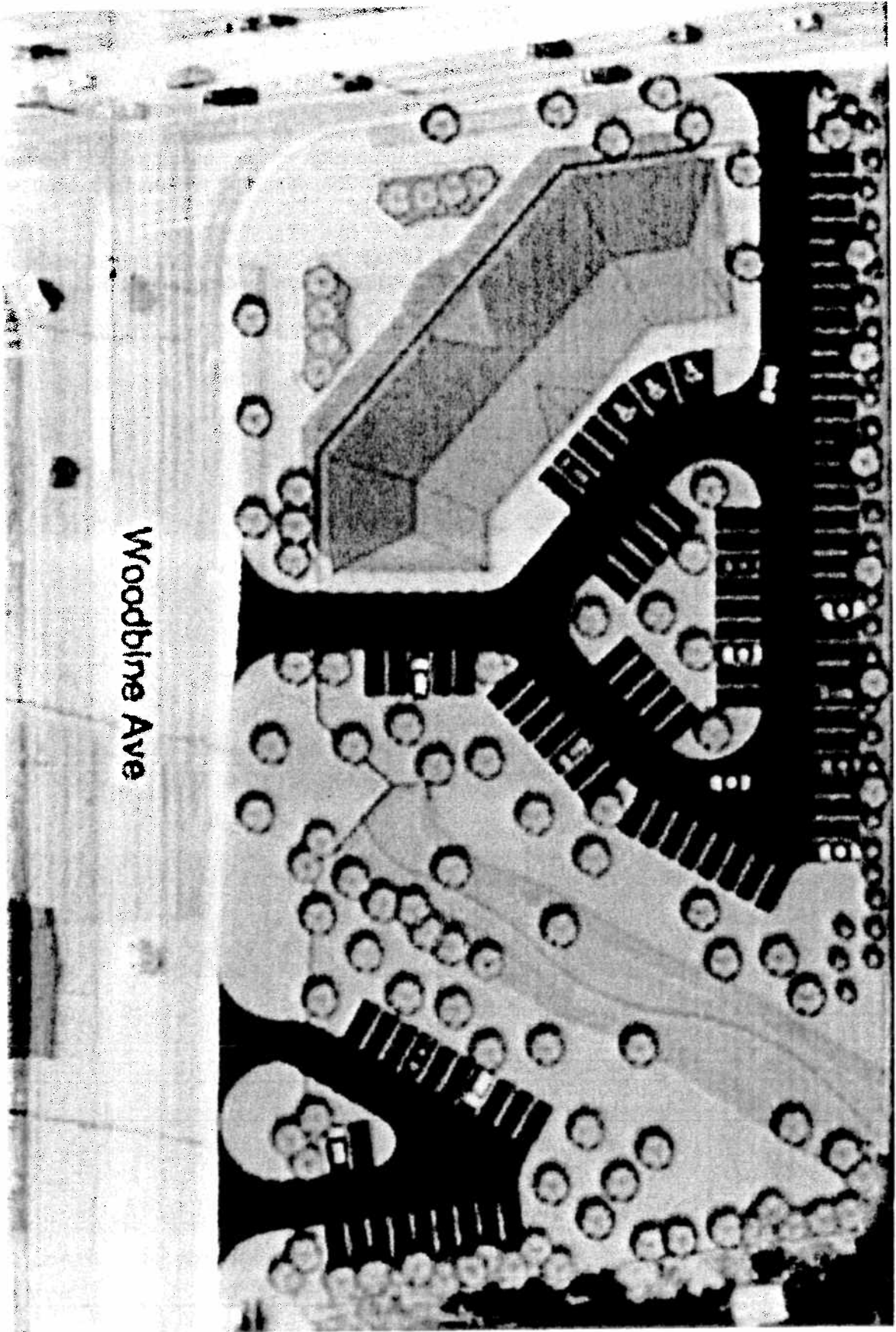
Yours truly,

MMM GROUP LIMITED

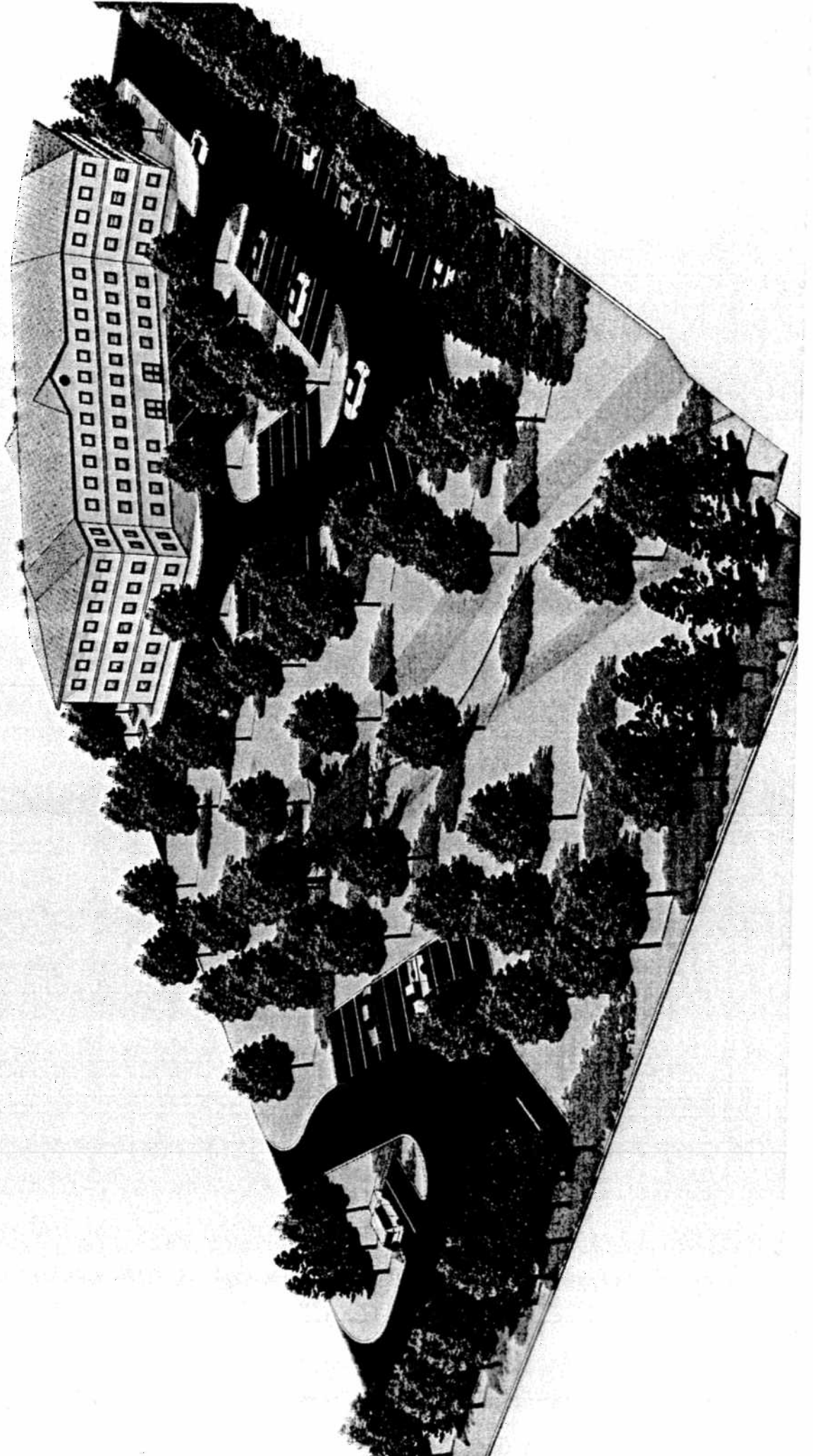


Kristy Shortall, MCIP, RPP, LEED Green Associate
Senior Planner
Associate

CC. Kitty Bavington, Clerks Department, City of Markham
Chris Roidis and Kathy Roidis, 9963 Woodbine Avenue



Woodbine Ave



April 7, 2011

Town of Markham
Clerk's Department
101 Town Centre Boulevard
Markham, ON
L3R 9W3

VIA Email: judy Carroll@markham.ca

Dear Mayor Scarpitti and Members of Council:

**RE: April 12, 2011 Special Meeting of Markham Council- Official Plan Review
The York Downs Golf and Country Club
4134 16th Avenue, Markham**

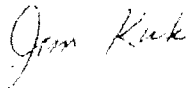
Malone Given Parsons Ltd. previously submitted correspondence on behalf of the York Downs Golf and Country Club (YDGCC), to the Town Planning Department (dated April 16, 2010) as part of the Growth Management Strategy, to advise that YDGCC is seeking an urban designation for its entire land holdings. A copy of our previous letter is attached hereto.

The purpose of this letter is to formally advise the Town (Members of Council and Town staff) that YDGCC continues to request an urban designation in the new Official Plan.

We advised Town Staff in our April 2010 letter that YDGCC would retain an environmental consultant to establish the limits of the environmental features on the property. This exercise is complete; the environmental limits have been staked with the Toronto and Region Conservation Authority and Town of Markham staff. The results of the site staking exercise were captured on a site survey and a copy was provided to Lilli Duoba, Senior Project Coordinator at the Town. We are further requesting that the staked limits of the environmental features for the YDGCC property be incorporated into the Town's new Official Plan.

We thank you for the opportunity to provide our initial comments on the Town's new Official Plan.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Jim Kirk, MCIP, RPP
Partner
jkirk@mgp.ca

Attachments: April 16, 2010 Letter to Town of Markham re: Request for an Urban Designation
cc: Leonardo De La Fuente, General Manager, York Downs Golf and Country Club

April 16, 2010

Ms. Valerie Shuttleworth
Director of Planning and Urban Design
Town of Markham
101 Town Centre Boulevard
Markham ON, L3R 9W3

09-1868

Dear Ms. Shuttleworth:

**Re: Markham Growth Management Strategy- Request for an Urban Designation
York Downs Golf and Country Club
4314 16th Avenue**

Thank you for meeting us and with representatives from York Downs Golf and Country Club (YDGCC) on March 8, 2010 to discuss the Town's Growth Management Strategy, the Environmental Policy Review and Consolidation Study (EPRC) and its potential implications for the golf course property. The purpose of this letter is to follow up on our discussions, to advise of YDGCC's intention to study the environmental limits on the lands and to request an urban designation for the YDGCC property.

The club is monitoring the Town's GMS process and understands that the EPRC is a component of the GMS. YDGCC further recognizes that the property represents a significant land holding in the Town's urban area (and the Growth Plan's Built Up Area) and is balancing competing interests; the continued operation of the golf course and future development opportunities.

As part of the GMS process, the Town's EPRC concludes that a large portion of the golf course lands should be designated for environmental protection (Greenway System). YDGCC has concerns with the proposed designation. It believes that lands without environmental significance have been recommended for protection. At our meeting, Lilli Duoba noted that any refinements to the proposed Greenway System designation will require a site specific environmental impact study. The club intends to retain an environmental consultant to review the EPRC and determine the appropriate environmental limits on its lands. The terms of reference will be reviewed with the Town of Markham and outcomes will be presented. Should the consultant conclude that there are lands with no environmental significance included in the proposed Greenway System designation, the club will request that those lands be removed from the environmental designation in the new Official Plan.

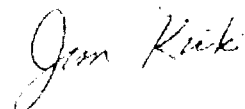
While the Club has no current intent to proceed with the development of its lands, the Club from time to time, has been approached by developers. In addition, neighbouring lands are currently in the process of urban development. There is a distinct probability that urban development on some portion of the Club's lands could take place within the next 20 years.

The Club therefore requests an urban designation in the new Official Plan.

Ms. Valerie Shuttleworth
York Downs Golf and Country Club
Page 2

We thank you for the consultation we have had to date. We will contact municipal officials to discuss the above in greater detail.

Yours very truly,
MALONE GIVEN PARSONS LTD.

A handwritten signature in cursive script that reads "Jim Kirk".

Jim Kirk, MCIP, RPP
Partner

C.C Mr. Jim Baird, Commissioner of Planning
Ms. Lilli Duoba, Environmental Planner
Mr. Leonardo De La Fuente, YDGCC

November 6, 2012

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 09-1868

Attention: Marg Wouters, Senior Manager, Policy and Research

Dear Ms. Wouters;

**RE: City of Markham Draft Official Plan Review
York Downs Golf and Country Club
4134 Sixteenth Avenue**

Malone Given Parsons Ltd., on behalf of York Downs Golf and Country Club (YDGCC), is pleased to submit preliminary comments on the Draft Markham Official Plan. YDGCC is the owner of 168 hectares (415 acres) of land north of Sixteenth Avenue, between Warden Avenue and Kennedy Road.

Over the last few years, YDGCC has participated in the City's Growth Management Process and submitted correspondence requesting an "urban designation". The draft Official Plan proposes to designate the property "Private Open Space".

We have reviewed the draft Official Plan and the majority of our concerns relate to the numerous environmental policies that would apply to YDGCC. YDGCC will continue to review the implications of the proposed policies and any possible future urban use.

We will provide you with our comments in the coming weeks. Meantime, we have identified the following areas of concern:

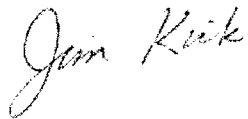
- YDGCC participated in a site staking exercise to assist in determining the limit of development with the Toronto Region and Conservation Authority and the City of Markham in 2010. Following this, a copy of the site staking survey was provided to the City. YDGCC is requesting confirmation that the limit of development as identified through the site staking exercise (and reflected on the plan of survey) is accurately reflected in the proposed "Greenway System designation" for the club.

- Identification of various natural heritage and hydrological features on YDGCC lands including woodlots, wetlands, and permanent and intermitted streams and the corresponding policies;
- Inclusion of a hedgerow in the “Greenway System designation”; and
- Concern with proposed minimum vegetation protection zones.

We understand that Markham will be holding meetings and open houses in the coming months to review and discuss the draft Official Plan. We welcome the opportunity to meet and discuss our concerns.

We anticipate submitting additional correspondence outlining in greater detail YDGCC concerns on the draft Official Plan. We thank you for the opportunity to provide input on the draft Markham Official Plan.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Jim Kirk MCIP, RPP
Partner
jkirk@mgp.ca

cc: Clerks Department, City of Markham
Leonardo De La Fuente, YDGCC

Memorandum

To: York Downs Golf and Country Club – Lands Committee

From: Jo-Anne Lane

Date: January 4, 2013

Ref: 212107

Re: Markham Draft Official Plan Review – Beacon Environmental Comments

We offer the following comments based on our review of the Markham Draft Official Plan as it relates to the York Downs Golf and Country Club (YDGCC). Some of these comments reflect similar observations by MGP. Others are more specific to the natural environment on the YDGCC lands and new or existing policies.

Wetlands

- The OP states that the mapping is based on the 'best available information' but does not reflect the results of the Environmental Analysis conducted by Beacon, which was circulated to the City, e.g. several wetlands are portrayed on the OP mapping that are not present based on ground truthing; adjacent to the east central woodlot but there is not a wetland at the location (wetland adjoining Bruce Creek on west side, wetland on east side of Bruce Creek, wetland on west side of east central woodlot).

Woodlands

- East central woodlot (near Kennedy) included as part of Natural Heritage Network and would likely be considered significant because of its proximity to the small wetland at its southwest corner. Previous OP stated that designation could be revised based on EIS but the new OP does not appear to have this flexibility;
- Minimum 10 m buffer off woodlands as determined by drip line;
- Hedgerows no longer identified on Natural Heritage mapping (unlike previous OP) however are included in definition of 'urban forest' Section 3.1.2.17, which states that the urban forest must be protected and actively managed. *Does this mean they will need to be retained?*

Permanent and Intermittent Streams/Valleyland and Watercourse Corridors

- The definition of fish habitat provided is DFO's standard definition however with new changes to the *Federal Fisheries Act* this definition is being substantially revised. *Is the OP definition going to remain the same or will it reflect the new DFO definition?*
- New OP makes no differentiation between warm and coldwater fish habitat.
- Permanent and intermittent streams inside the urban area require 10 m from greater of stable top of bank or floodplain but fish habitat requires 30 m. Presumably the greater of these will apply but again, this will need to be determined based on the definition of fish habitat;
- Also, mvpz from fish habitat is 30 m from water's edge but doesn't differentiate time of year or flow level for water's edge;
- Note that none of the watercourses shown on Map 5 are included as 'small streams'; however Several features show up on Map 5 that are not watercourses;

Natural Heritage Network

- Note that the definition of NHN includes vegetation protection zones;
- How can the NHN include the functions of the features? Section 3.1.2.
- Section 3.1.2.5 requires conveyance of lands within the NHN as part of the development approval process. Since the NHN includes MVPZ's, does this mean that no planting will be required within them as is normally the case?

General Comments

- Regulated areas are comparable to areas identified in Beacon report.
- Definition of vegetation protection zone should refer to keynatural heritage and hydrologic features.
- Clarify the Minimum Vegetative Protection Zone applicable for lands within the Built-up Urban Area.

April 12, 2011

Town of Markham
 Clerk's Department
 101 Town Centre Boulevard
 Markham, ON
 L3R 9W3

PMG
 Planning
 Consultants

227 Bridgeland Avenue
 Toronto, Canada M6A 1Y7
 Tel. (416) 787-4935
 Fax. (416) 787-0004
 E-Mail: pmg@pmgplanning.ca

pmg

Re: Markham Official Plan Review
 11175 Kennedy Road
 Town of Markham

We represent Mahamevna Bhavana Asapuwa Toronto (Mahamevna), which currently resides at 11175 Kennedy Road, located on the east side of Kennedy Road, between Elgin Mills and 19th Avenue. The property has an area of 0.8 hectares (2.0 acres), and is surrounded by the Mandarin Golf Course and Camp Green Acres.

The property is occupied with a two-storey former farmhouse, together with a swimming pool, a series of out-buildings, driveways and parking areas, and grassed lawns. No part of the property is being used for agricultural purposes, nor has been for decades. The dwelling is zoned for Rural Residential uses.

The property is currently used for a place of residence for the Buddhist Monks of Mahamevna; however the congregation has future plans for expansion. To this end, preliminary discussions with Town planning staff have already taken place. It is the intention of Mahamevna to file the necessary Official Plan and Zoning By-law Amendments to the Town.

I note the following facts concerning the subject property:

- It is relatively small in size, being only 0.8 hectares in area, too small to require a justification for removal from a Agricultural designation under the current Town Official Plan;
- Currently is improved with a dwelling and associated structures;
- Is not, nor has been for a lengthy period of time, used for agricultural purposes;
- The small property is surrounded by Camp Green Acres, the Mandarin Golf Course, and Melville United Church, none of which are agricultural operations;
- Is already zoned for residential purposes.

Mahamevna wishes Markham Council to remember that their site has a different context from perhaps other sites outside the urban boundary. Any "blanket policy" across the entire Future Urban Area may not be appropriate for a smaller parcel such as Mahamevna, which has a different planning context.

71

Mahamevna is also concerned with the recently approved Region of York Official Plan, and has appealed that document. That document designates these lands as Agricultural, and under policy 6.3.3, would prohibit my client (over even the Town of Markham) from even requesting an amendment to permit such a use.

Furthermore, Policy 6.3.4 of the Regional Plan states that Agricultural Uses shall be designated in the Town Official Plan and the Zoning By-law. This could be interpreted to mean that the Town of Markham has no say in land use within its own boundary.

pmg

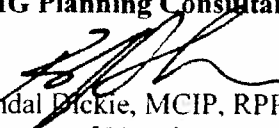
As a professional land use planner, I am very much aware of provincial and regional level issues such as the Provincial Growth Plan and the desire to protect viable agricultural uses in proximity to the urban area. I am also very much aware of the problems that can occur when such high level, blanket policies are applied across an entire area, without regard for the unique attributes or characteristic of a particular property. This has been particularly apparent in the last 5 years or so.

Please keep in mind that all sites should be considered based upon their own context; one size does NOT fit all.

Please keep us advised of any decision by Council. Should you have any questions, please do not hesitate to contact me at 416-417-1357.

Yours truly,

PMG Planning Consultants


Randal Dickie, MCIP, RPP
Manager of Planning

13



140 Renfrew Drive, Suite 201
Markham, Ontario L3R 6B3
Tel: 905-513-0170
Fax: 905-513-0177
www.mgp.ca

April 8, 2011

Town of Markham
Clerk's Department
101 Town Centre Boulevard
Markham, Ontario, L3R 9W3

MGP File: 05-1470

VIA Email: judycarroll@markham.ca

Dear Mayor Scarpitti and Members of Council:

**RE: April 12, 2011 Special Meeting of Markham Council- Official Plan Review
Unionville Montessori School – northwest Kennedy Road and 16th Avenue.**

Malone Given Parsons is the planning consultant for Unionville Montessori School (UMS) which is located at northwest Kennedy Road and 16th Avenue. We have assisted with the expansion of the campus over the years as enrolment at the school increased. UMS is preparing to propose expansion by incorporating 4488 16th Ave. and 9286 Kennedy Rd. in the campus and will be submitting plans in the near future.

The notice of Special Council Meeting on April 12, 2011 refers to, among other things, the Council endorsed growth alternative to 2031. The Town has identified northwest Kennedy Rd. and 16th Ave. as vacant *Residential Development Potential* lands (Growth Management Strategy Presentation, Feb. 6, 2010) and *Neighbourhood Area* on the draft Town Structure schedule (Endorsed Growth Alternative, May, 2010). UMS wants to ensure that 4488 16th Ave. and 9286 Kennedy Rd. are not prohibited from being used for private schools and related uses.

We also ask that you add Malone Given Parsons to the list for future notifications regarding the OP review.

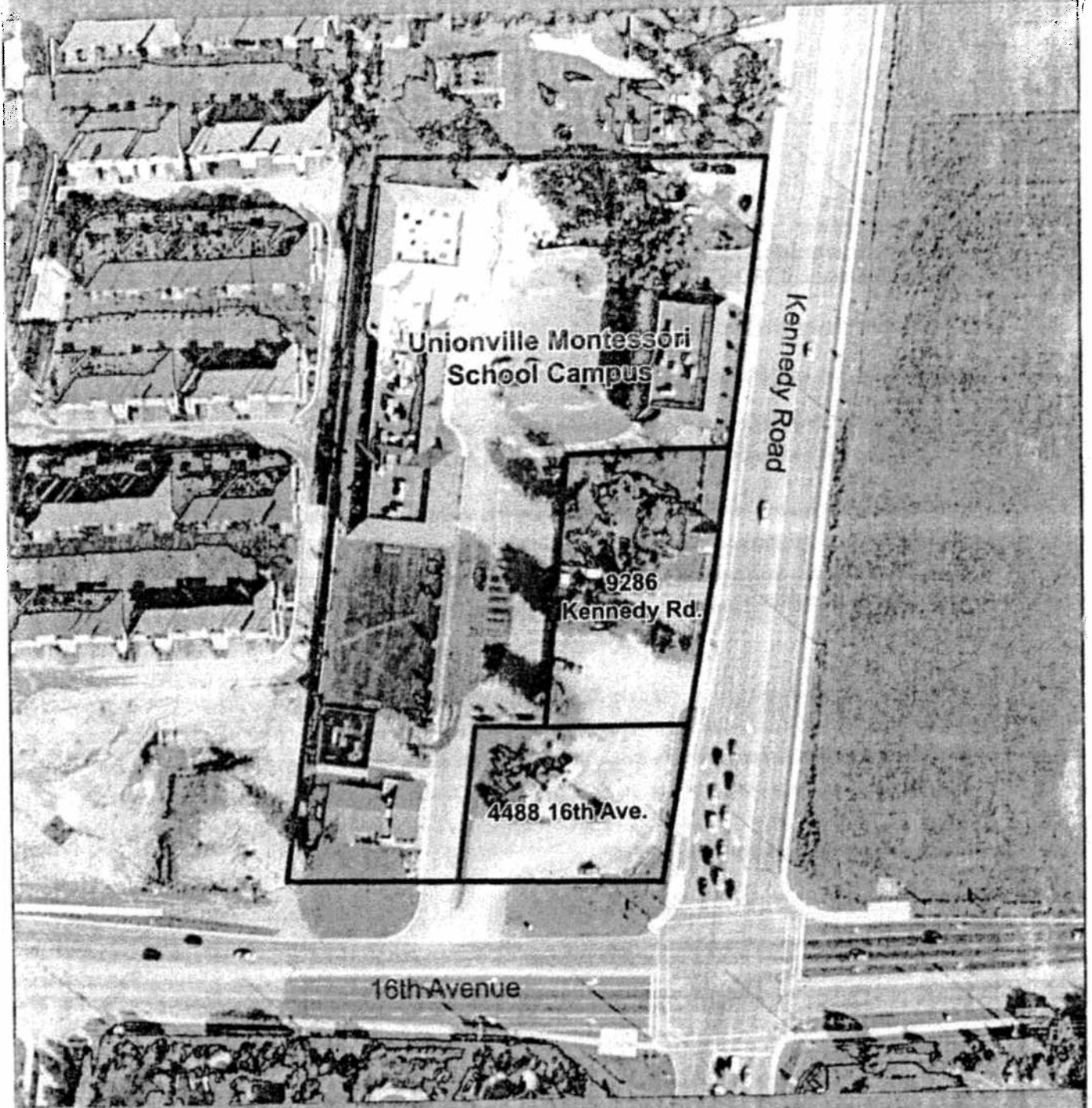
We thank you for the opportunity to provide initial comments on the Town's new Official Plan.

Yours very truly,
MALONE GIVEN PARSONS LTD.

Jim Kirk, MCIP, RPP
Principle
jkirk@mgp.ca



Attached: Aerial Photo of Unionville Montessori Land Holdings
CC: A. Remtulla, Umonville Montessori School

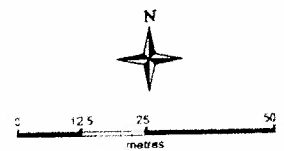
UNIONVILLE MONTESSORI SCHOOL LAND HOLDINGS



SITE LOCATION

MALONE GIVEN PARSONS LTD.

-  Unionville Montessori School Campus
-  Other Lands Owned by Unionville Montessori School



April 8, 2011
Project Number: 11-2006
Source: Google 2009



October 29, 2012

Margaret Wouters
 Planning and Urban Design
 City of Markham
 101 Town Centre Blvd.
 Markham, ON L3R 9W3

Dear Ms. Wouters;

RE: CITY OF MARKHAM OFFICIAL PLAN REVIEW
 KAU & ASSOCIATES LIMITED PARTNERSHIP
 71 COCHRANE DRIVE, MARKHAM
 MHBC FILE: 07163F

We have been retained by Kau & Associates Limited Partnership, owner of lands located at 71 Cochrane Drive in the City of Markham ("the Site"), to provide planning services with respect to the City of Markham's Official Plan Review program. We have reviewed the draft of the Official Plan released in September and are generally satisfied with the direction the plan has taken with regard to the Site, as it preserves the existing Official Plan permissions that the Site enjoys today.

In-Effect Official Plan Permissions

The Site is located at 71 Cochrane Drive and is being used for retail warehouse uses and restaurant uses. The Site is currently designated 'Commercial' in the Land Use Schedule and 'Retail Warehouse' within the commercial/industrial structure of the in-effect Official Plan. The site is also subject to Planning District 13-2 (Brown's Corners) which forms part of a 'non-statutory' Secondary Plan. The Official Plan permits medium to large format retail stores and large scale 'themed' retail development on the Site. Specifically, lands within the Commercial (Retail Warehouse Area) may be zoned to permit the following uses subject to the provisions of the Official Plan:

- Retail uses with individual premises generally not less than 300 square metres of gross floor area;
- Service uses;
- Offices;
- Banks and financial institutions;
- Light industrial uses;
- Retail uses accessory and incidental to permitted light industrial uses;
- Restaurants;
- Banquet halls;
- Night clubs;
- Trade and convention centres;
- Hotels and motels;
- Sports, health and fitness recreational uses;
- Entertainment uses consistent with the planned function and policies of the designation;
- Institutional uses (excluding places of worship);
- Day care centres; and
- Private and commercial schools

Additional uses may be approved in this designation subject to a site-specific development proposal and rezoning, as outlined in Section 3.4.6.6 c) ii) of the Official Plan. This includes a mixed-use centre combining multiple-unit retail development containing individual retail premises of less than 300 square metres gross floor area with other permitted uses, subject to the following criteria:

- The centre shall generally be a multi-storey building;
- The centre shall generally be located on a site adjoining an intersection with an arterial or collector road; and
- The total gross floor area devoted to retail uses shall generally not exceed the total gross floor area devoted to other permitted uses.

Other uses permitted by Section 3.4.6.6 c) ii) of the Official Plan include:

- Retail uses involving accessory outdoor storage and/or display of merchandise;
- Commercial 'self-storage' warehouses;
- Automobile service stations;
- Car washes;
- Automobile repair uses (excluding autobody paint and repair);
- Funeral homes; and
- Places of worship.

It is our interpretation that the above-noted permitted uses supersede those in the Industrial-Commercial designation found in PD 13-2 (Brown's Corners), which is a non-statutory Secondary Plan.

Draft Official Plan

The following is a summary of our interpretation of the draft Official Plan as it relates to 71 Cochrane Drive.

Urban Structure

The Site is designated as an 'Intensification Area,' an 'Employment Area (Including Commercial Areas)' and a 'Regional Corridor / Key Development Area' on the Urban Structure Plan.

Intensification Areas are intended to result in more sustainable, higher-density, mixed use communities with a variety of housing choices and employment opportunities close to where people live, at densities that make public transit financially feasible. For this Site, with an Employment Area structural designation, the intent is to accommodate employment intensification.

Regional Corridors / Key Development Areas are intended to include intensification areas where rapid transit services intersect with major nodes of retail and commercial development and where opportunities exist for redevelopment of large land parcels that support new public streets and mixed use development. It is the intent of the plan that the most intensive and widest range of uses within the Corridors be directed to the Key Development Areas. Key Development Areas shall support an overall minimum long-term density target of 2.5 FSI.

In Employment Areas, the policies of the plan are to promote economic development and competitiveness by providing for an appropriate mix and range of employment (including industrial,

commercial, and institutional uses) to meet long term needs. This includes meeting the employment forecasts of the Plan for all types of employment uses.

The Plan makes a distinction between 'Employment Area' and 'Employment Lands.' Employment Lands only include the following land use designations:

- Business Park Employment;
- Business Park Office Priority Employment;
- Service Employment; and
- General Employment.

Therefore the Site at 71 Cochrane Drive, which has a land use designation of 'Commercial,' would not be considered Employment Lands for the purposes of the City's employment land use policies. The conversion policies of the draft Official Plan apply to 'Employment Lands' land use designations and not 'Employment Areas' structural designations. Therefore the continued use of the Site for retail / commercial uses would not trigger the conversion policies of the draft Official Plan.

Land Use

The Site is designated 'Commercial' on the land use maps of the draft Official Plan. This designation applies to lands that accommodate existing or approved large-format retail development. Lands designated Commercial form part of the Employment Area component of the City's urban structure (but are not Employment Lands as discussed above). It is the intent of the draft Official Plan to provide for the evolution of Commercial lands to more intensive building forms and to provide for more intensive office, retail, and service uses, while remaining compatible with Employment Areas. It is the intent of the draft Official Plan that no additional lands be designated Commercial in the future.

The Commercial land use designation permits the following uses:

- **Retail;**
- Service;
- Office;
- Banquet hall;
- Commercial fitness centre;
- Commercial parking garage;
- Light manufacturing, processing and warehouse use. With no outdoor storage or outdoor processing;
- Hotel that does not include dwelling units;
- Financial institution;
- Motor vehicle service station;
- Place of entertainment;
- Private club;
- **Restaurant;**
- Trade and convention centre; and
- Trade school.

We note that the definition of 'major retail' includes "retail big box stores, retail warehouses and shopping centres, as identified in the York Region Official Plan, with individual premises exceeding 1000 square metres of gross floor area and/or the combined gross floor area devoted to retail in all premises on a property exceeding 3000 square metres." Despite the definition, the term 'major retail' is only used in the context of Employment Land conversions, and is not identified as a separate use in the land use designations. As the Site is designated Commercial, the policies for Employment Land conversions do not apply and therefore the definition of major retail does not impact the Site.

The following discretionary uses are permitted, subject to rezoning and meeting certain conditions:

- Daycare centre;
- Place of worship;
- Commercial school in a multi-unit building; and
- Funeral home.

The Commercial designation permits single and multi-storey retail, industrial and office building types containing single or multiple units. Therefore the existing single unit and multi-unit single storey buildings will continue to be permitted.

Based on the above, the existing large-scale retail uses and restaurants will continue to be permitted. Future redevelopment of these lands is intended to provide for mixed use, higher density employment uses. Notwithstanding, Section 10.1.3 of the draft Official Plan recognizes legally existing development and land uses as conforming with the plan as they existing at the time the plan is adopted.

The site is adjacent to an area within the Greenway System, specifically a woodland and permanent and intermittent stream corridor. The stream corridor is a hydrologic feature requiring a minimum vegetation protection zone of 10 metres around the feature. The Environmental Systems policies of the plan require development and site alteration within 60 metres of a permanent or intermittent stream to undertake an Environmental Impact Study to demonstrate that there is no impact to the stream or the vegetation protection zone. This policy would impact any future redevelopment, alteration, or expansion on the subject lands.

Secondary Plan

The site is not currently within an area where a Secondary Plan is being prepared.

Conclusion

It is our interpretation that the draft Official Plan maintains the use permissions currently enjoyed by 71 Cochrane Drive in the in-effect Official Plan. **We request that these permissions be maintained through subsequent drafts of the new Official Plan.** We will continue to monitor the Official Plan Review process, and provide further comment on future drafts of the policies as they become available.

We also respectfully request that our above interpretations be confirmed by City staff.

If you have any questions, please do not hesitate to call.

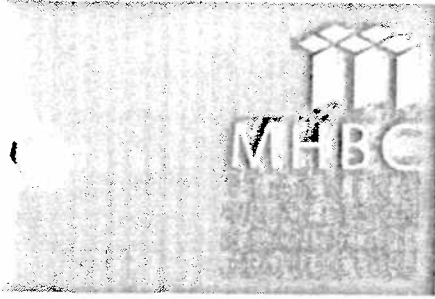
Thank you,

Yours truly,
MHBC



David A. McKay, MSc, MCIP, RPP

cc: Mervyn Ira Kau, Hans Kau, Björn Hönigke, Caterina Facchini



May 19, 2011

Tim Lambe
 Manager, Policy & Research
 Town of Markham
 101 Town Centre Blvd.
 Markham, ON L3R 9W3

Dear Mr. Lambe;

**RE: TOWN OF MARKHAM OFFICIAL PLAN REVIEW
 KAU & ASSOCIATES L.P (1045064 Ontario Limited).
 71 COCHRANE DRIVE, MARKHAM
 MHBC FILE: 07163F**

We have been retained by Kau & Associates L.P., owner of lands located at 71 Cochrane Drive in the Town of Markham, to provide planning services relative to the Town of Markham's Official Plan Review program. We attended the April 12th special meeting of Town Council and we are pleased to see the Town is moving forward with new Official Plan policies.

At this time, draft policies and mapping have not yet been developed by the Town, so the direction of the Official Plan Review is only visible within the Town's endorsed Growth Management. We feel that this early stage is a good opportunity to discuss the future of our client's site within the future Official Plan.

The site is located at 71 Cochrane Drive and is being used for retail warehouse uses and restaurant uses. The site is currently designated 'Commercial' in the Land Use Schedule and Retail Warehouse within the commercial/industrial structure. The site is also subject to Planning District 13-2 (Brown's Corners) which forms part of a 'non-statutory' Secondary Plan. The Official Plan permits medium to large format retail stores and large scale 'themed' retail development. Specifically, lands within the Commercial (Retail Warehouse Area) may be zoned to permit the following uses subject to the provisions of the Official Plan:

- Retail uses with individual premises generally not less than 300 square metres of gross floor area;
- Service uses;
- Offices;
- Banks and financial institutions;
- Light industrial uses;
- Retail uses accessory and incidental to permitted light industrial uses;
- Restaurants;
- Banquet halls;
- Night clubs;
- Trade and convention centres;
- Hotels and motels;
- Sports, health and fitness recreational uses;
- Entertainment uses consistent with the planned function and policies of the designation;
- Institutional uses (excluding places of worship);
- Day care centres; and
- Private and commercial schools.

Additional uses may be approved in this designation subject to a site-specific development proposal and rezoning, as outlined in Section 3.4.6.6 c) ii) of the Official Plan. This includes a mixed-use centre combining multiple-unit retail development containing individual retail premises of less than 300 square metres gross floor area with other permitted uses, subject to the following criteria:

- The centre shall generally be a multi-storey building;
- The centre shall generally be located on a site adjoining an intersection with an arterial or collector road; and
- The total gross floor area devoted to retail uses shall generally not exceed the total gross floor area devoted to other permitted uses.

Other uses permitted by Section 3.4.6.6 c) ii) include:

- Retail uses involving accessory outdoor storage and/or display of merchandise;
- Commercial 'self-storage' warehouses;
- Automobile service stations;
- Car washes;
- Automobile repair uses (excluding autobody paint and repair);
- Funeral homes; and
- Places of worship.

It is our interpretation that the above-noted permitted uses supersede those in the Industrial-Commercial designation found in PD 13-2 (Brown's Corners), which is a non-statutory Secondary Plan.

We respectfully request that the uses permitted above in the Commercial (Retail Warehouse Area) designation be maintained on the site through the Official Plan Review process. We also request that any new use permissions contemplated for other commercial sites in the area be added to the above list, at the Town's discretion.

We will continue to monitor the Official Plan Review process, and provide further comment once draft policies become available. In the meantime, we request we be placed on the notification list for any future public meetings or document releases related to the Official Plan Review.

If you have any questions, please do not hesitate to call.

Thank you,

Yours truly,

MHBC



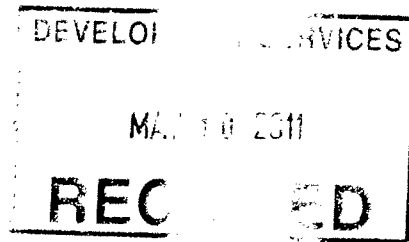
David A. McKay, MSc, MCIP, RPP

cc: Alexandra Kau

L I N D
URBAN LAND MANAGEMENT

265 Broadview Avenue
Toronto, Ontario M4K 1C5
416-963-6078

Victor N. Lind MCIP, RPP
Principal



Kimberley Kitteringham, Town Clerk
Town of Markham
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

Dear Ms. Kitteringham,

May 9, 2011

Re : Town of Markham Official Plan Process

I am writing to advise that I represent Sheridan Nurseries Limited at 4077 Hwy #7 and we are interested in the Official Plan process as it relates to our garden centre.

We have made numerous representations over the years regarding the upgrading, site plan and redevelopment possibilities of this property. We recently met with planning staff regarding a pre-consultation on a potential re-zoning.

Would you please ensure that we are added to the mailing list for any upcoming public meetings and or consultations with staff or Council.

Yours sincerely,

Victor N. Lind MCIP, RPP

cc. Tim Lambe, Manager of Policy and Research Division
Town of Markham

Rick Friesen, Sheridan Nurseries Limited

21

MARCH 10, 2011

TOWN OF MARKHAM
% MAYOR AND ALL COUNCILLORS
101 TOWN CENTRE BLVD.
MARKHAM, ONTARIO
L3R 9W3

RECEIVED
MAR 11 2011
TOWN OF MARKHAM
CLERKS DEPT.

AND TO:

THE ONTARIO MUNICIPAL BOARD
% D. R. GRANGER, COMMISSIONER, RE PL090996
655 BAY ST. STE 1500
TORONTO, ONTARIO
M5G 1E5

DEAR SIRs;

I WOULD LIKE TO GO ON RECORD TO STATE THAT I FEEL MY 4.8 ACRE SITE AT 4137 HWY 7 IN WWW.MARKHAMCENTRE.COM. (SEE STATUS OF DEVELOPMENT), IS FULLY ZONED AND SITE PLAN APPROVED FOR A HOTEL AND THREE HIGH RISE CONDOMINIUM BUILDINGS WITH TODAYS DENSITY ALLOTMENT OF APPROXIMATELY 220 UNITS PER ACRE AS OF MAY 19, 2010. THAT WAS THE DAY TIMES DEVELOPMENT RECEIVED THEIR OMB APPROVAL ON THEIR 88 ACRE PROPERTY ON HWY 7 JUST WEST OF MY PROPERTY.

I WOULD LIKE THE TOWN OF MARKHAM IN THEIR NEW OFFICIAL PLAN DOCUMENTS TO RECOGNIZE THIS FACT. I SAY THIS IN ALL SINCERITY SINCE WE RESUBMITTED OUR HOTEL PLAN TO SWEENEY STERLING AND FINLAYSON AND CO. ARCHITECTS HIRED BY MARKHAM TO DO A NEW HIGHWAY 7 PRECINCT PLAN IN THE FALL OF 2009 UPON THE INVITATION OF SCOTT HEASLIP TO JOIN A ROUND TABLE MEETING OF ALL LAND OWNERS AFFECTED AND HE ASKED EVERYONE TO BRING IN THEIR CURRENT PLANS. AT THAT MEETING MY SON AND I INTRODUCED OUR LONGSTANDING PLAN OF THE HOTEL CONCEPT. WE WERE THE ONLY PRESENTERS AT THE MEETING OF ABOUT 20 PEOPLE. WE SHOWED OUR PLAN TO THE SWEENEY REP AND ALL OTHERS AT THAT TIME. WE SPENT TWENTY MINUTES INDIVIDUALLY WITH THE SWEENEY REP AND HE IMMEDIATELY IDENTIFIED OUR PLAN AS COMING FROM SAUL WASSERMUHL OF PAGE AND STEELE. HE SAID HE WAS GOOD FRIENDS WITH SAUL AND WOULD SPEAK TO OUR PLAN WITH HIM IN THE NEXT FEW DAYS. TO SAY THE LEAST HE WAS IMPRESSED WITH OUR PLAN. THIS PLAN HAD BEEN PRESENTED TO THE WORKING COMMITTEE OF THE DEVELOPMENT SERVICES DEPT. IN THE EARLY SUMMER OF 1998 BY PAGE AND STEELE , IT RECEIVED TENTATIVE APPROVAL CONTINGENT ON THE PASSING OF A NEW PRECINCT PLAN FOR OUR AREA.

ON PAGE 6 OF THE AYREH DEVELOPMENT PLAN, PL090996, ITEM I. IT REFERS TO THE MARKHAM COUNCIL APPROVED PRECINCT WHICH MY LAND IS PART OF. THIS IS ALSO EVIDENT IN PARAGRAPH J.

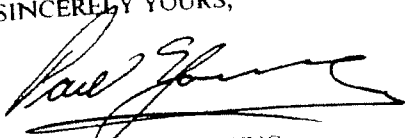
I THINK IT WAS AN ERROR ON BEHALF OF THE TIMES GROUP OMB COMMISSIONERS DECISION TO NOT ADDRESS MY PLAN AT THE SAME TIME. THIS COULD BE ATTRIBUTED TO THE FACT THAT THE FINAL SWEENEY REPORT HAD NO REFERENCE TO OUR ACTIVE HOTEL CONDO APPLICATION.

I WOULD LIKE THE OMB TO ACKNOWLEDGE NOW THROUGH THE ARYEH APPLICATION AND FINAL RULING. THE STATUS OF 4137 HWY 7 AS FULLY ZONED AND SITE PLAN

APPROVED.

I BELIEVE IT IS TIME THE ONTARIO GOVERNMENT PUSHED BACK AT SOME OF THESE BIG DEVELOPERS WHOSE INFLUENCE RUNS ROUGH SHOD OVER SMALL LAND OWNERS.

SINCERELY YOURS;



PAUL WILLIAM YOUNG
4137 HWY 7
UNIONVILLE, ONTARIO
L3R 1L5

CC;

DALTON MC GUINTY, PREMIER PROVINCE OF ONTARIO
MARKHAM CENTRE DEVELOPERS GROUP; IBM CANADA, YORK UNIVERSITY, LIBERTY
DEVELOPERS, REMINGTON GROUP, HILTON HOTELS CANADA, H AND R DEVELOPMENTS,
TIMES GROUP, H AND W GROUP, SHERIDAN NURSERIES LTD., MARKHAM LIVE GROUP,
MOTOROLA CANADA INC., HONEYWELL CANADA INC., VIVA TRANSIT GROUP, YRPSB,
YRSSB, TRIDEL LTD., YMCA. GO TRANSIT.
ALSO; MARKHAM TOWN SQUARE DEV., CATHOLIC ARCHDIOCESE OF TORONTO, LEE
DEVELOPMENT, VOLVO AND AUDI OF UNIONVILLE, VARIOUS LEGAL FIRMS.



STUDIO
 1000
 1000
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November 2, 2012

Marg Wouters
 Development & Planning
 City of Markham
 101 Town Centre Blvd.
 Markham, ON L3R 9W3

Dear Ms. Wouters;

RE: CITY OF MARKHAM OFFICIAL PLAN REVIEW
 HOME DEPOT HOLDINGS INC.
 3155 HIGHWAY 7
 50 KIRKHAM DRIVE
 1201 CASTLEMORE AVENUE
 MHBC FILE: 9316GJ

We have been retained by Home Depot Holdings Inc., which operates stores located at 3155 Highway 7, 50 Kirkham Drive, and 1201 Castlemore Avenue within the City of Markham, to provide planning services relative to the City of Markham's Official Plan Review program. We have reviewed the draft of the Official Plan released in September and we find that there are a few issues with the plan relative to Home Depot's existing stores. The following is a summary of our concerns.

3155 Highway 7

In-Effect Official Plan

This site being used as a Home Depot retail store. The site is currently subject to a 'Commercial' land use designation under Schedule A – Land Use and is also subject to a 'Retail Warehouse Area' designation under Schedule H – Commercial/Industrial in the in-effect Official Plan. The Official Plan permits medium to large format retail stores and large scale 'themed' retail development on this site. Specifically, lands within the Commercial (Retail Warehouse Area) may be zoned to permit the following uses subject to the provisions of the Official Plan:

- Retail uses with individual premises generally not less than 300 m² of GFA;
- Service uses;
- Offices;
- Banks and financial institutions;
- Light industrial uses;
- Retail uses accessory and incidental to permitted light industrial uses;
- Restaurants;
- Banquet halls;
- Night clubs;
- Trade and convention centres;
- Hotels and motels;

- Sports, health and fitness recreational uses;
- Entertainment uses consistent with the planned function and policies of the designation;
- Institutional uses (excluding places of worship);
- Day care centres; and
- Private and commercial schools.

Since the Retail Warehouse Area also specifically permits outdoor storage and display in conjunction with retail stores, the existing Home Depot outdoor garden centres are permitted by the in-effect Official Plan.

Based on the above, it is our interpretation that the existing land uses on this site are legally permitted by the in-effect Official Plan.

Draft Official Plan

The site is proposed to be designated as 'Mixed Use Mid Rise' on the majority of the site, and a small 'Greenway Systems' designation at the southwest corner of the site on Map 3 – Land Use (**Figure 1**). There are also 'Intensification Area' and 'Mixed Use Neighbourhood Area' urban structure overlays shown on this site on Map 1 – Markham Structure Plan.

Intensification Areas are intended to optimize the use of land and infrastructure, support higher densities with a diverse array of housing options, business functions, and employment opportunities to improve the live-work opportunities, and make public transit financially feasible. Mixed Use Neighbourhood Areas are intended to be a focus for higher density mixed-use residential development, but also considers retail and employment.

The Mixed Use Mid Rise designation permits the following uses:

- Commercial fitness centre;
- Commercial parking garage;
- Community college or university;
- Day care;
- Dwelling unit including a home occupation;
- Financial institution;
- Hotel;
- Motor vehicle sales facility within a building;
- Motor vehicle service station;
- Office;
- Place of entertainment;
- Place of worship;
- Private and commercial school;
- Public school;
- Restaurant;
- **Retail**;
- Secondary suite;
- Service; and
- Shared housing.

We note that the plan specifically defines major retail as "retail big box stores, retail warehouses and shopping centres, as identified in the York Region Official Plan, with individual premises exceeding 1000 square metres of gross floor area and/or the combined gross floor area devoted to retail in all premises on a property exceeding 3000 square metres." Although this term is defined, it is only used in the context of employment designations. Therefore it is our interpretation that a Home Depot store would be considered a retail use in all other designations. Also, outdoor storage and display is permitted in some designations, but not the Mixed Use Mid Rise designation.

The Mixed Use Mid Rise designation requires a minimum building height of three (3) storeys and a maximum building height of twelve (12) storeys, and a density range of 2.0 FSI to 2.5 FSI. The existing building does not meet these standards. However, it is our interpretation that the density standards are intended to be met over time and are not required of existing buildings.

The Mixed Use Mid Rise designation permits the following building types:

- Apartment building
- Multi-storey non-residential or mixed-use building
- Stacked townhouse
- Townhouse

As such, the existing single storey Home Depot store would not be a permitted building type.

The Greenway Systems designation applies to natural heritage, hydrologic features, and their vegetation protection zones. They are intended to protect valleylands and stream corridors, sensitive groundwater features, landforms, woodlands, wetlands, and agricultural lands. As such, retail establishments are not permitted within this land designation. Based on our mapping, a corner of the lot and building are located within this designation. However, the in-effect Official Plan has a matching designation called Hazard Lands, which follows a similar course as the Greenway Systems designation in the draft plan. Our mapping indicates that the existing building envelope is not located within the Hazard Lands designation of the in-effect Official Plan.

Based on the above, it is our interpretation that the existing Home Depot store use will continue to be a permitted use on the subject lands, but that the building type and density containing the use will not comply with the plan. The existing permission for outdoor storage and display will be removed in the new Official Plan. Adjustment of the Greenway System designation of the new plan is required to recognize the existing building envelope and remove it from this designation.

50 Kirkham Drive

In-Effect Official Plan

Similar to Home Depot's store at 3155 Highway 7, this site is currently subject to a 'Commercial' land use designation under Schedule A – Land Use and is also subject to a 'Retail Warehouse Area' designation under Schedule H – Commercial/Industrial Categories in the in-effect Official Plan. Commercial lands are intended to meet the needs of the Town's residents, employees, and businesses. Use permissions are the same as the store at 3155 Highway 7.

Based on our above analysis of 3155 Highway 7 with identical designations, it is our interpretation that the existing store is a legally permitted use.

Draft Official Plan

The site is designated as 'Mixed Use Mid Rise' in Map 3 – Land Use (**Figure 2**). There is also a 'Mixed Use Neighbourhood Area' urban structure overlay on Map 1 – Markham Structure Plan.

The same use permissions that apply to 3155 Highway 7 apply to this site.

The same height, density, and building type requirements / permissions as noted for the 3155 Highway 7 are applicable to this site.

Based on the above, it is our interpretation that this existing Home Depot store use will continue to be a permitted use on the subject lands, while the building type and density containing the use will not comply with the plan. The use permissions for outdoor storage and display will be removed by the new Official Plan.

1201 Castlemore Avenue

In-Effect Official Plan

The Home Depot store located at 1201 Castlemore Avenue is currently subject to a 'Commercial' land use designation under Schedule A – Land Use and is also subject to a 'Major Commercial Area' designation under Schedule H – Commercial/Industrial Categories in the in-effect Official Plan. Major Commercial Areas are planned to function as large scale multi-purpose destinations where a large portion of the municipality and broader regional market can fulfill their major shopping needs, recreation, entertainment, and hospitality uses. They are situated at key intersections that serve principle transit routes to provide convenient accessibility to the community at large. The following are permitted uses within the Major Commercial Area designation subject to the provisions of the Official Plan:

- Retail uses;
- Service uses;
- Offices;
- Banks and financial institutions;
- Hotels and motels;
- Sports, health and fitness recreational uses;
- Entertainment uses;
- Institutional uses;
- Day care centres;
- Private and commercial schools;
- Restaurants;
- Trade and convention centres; and
- Other similar uses.

The Major Commercial Area designation permits retail stores but does not permit outdoor storage or display. Notwithstanding, outdoor storage and display is permitted by Minor Variance dated May 30, 2007. It is also shown on the approved Site Plan for this site.

Based on the above, it is our interpretation that the existing store is a legally permitted use, including the outdoor storage and display areas.

Draft Official Plan

The site is bisected by two different land designations in the draft Official Plan. The western portion of the site, which includes the Home Depot store, is designated as 'Residential Mid Rise' (**Figure 3**) with a 'Neighbourhood Area' urban structure overlay. The eastern portion of the site, largely comprised of the Home Depot parking lot, is designated as 'Mixed Use High Rise' with a 'Mixed Use Neighbourhood Area' urban structure overlay. In addition, the entire site is within a 'Local Corridor' and 'Intensification Area' urban structure overlay.

As previously stated, Intensification Areas are intended to guide growth into designated areas comprising ease of accessibility from arterial roads adjacent to and in close proximity to higher order transit. The Mixed Use Neighbourhood Area designation is applied to sites that are capable of servicing a

variety of commercial, residential, and employment needs to nearby and regional populations. They are mostly located in Intensification Areas. In contrast, Neighbourhood Areas are intended to protect established residential areas from incompatible development.

The Residential Mid Rise land use designation permits the following uses:

- Convenience retail and personal service;
- Dwelling unit including a home occupation;
- Place of worship;
- Public school;
- Secondary suite; and
- Shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised.

The Residential Mid Rise designation permits the following building types:

- Townhouse;
- Small multiplex building containing 3 to 6 units;
- Stacked townhouse;
- Apartment building; and
- Buildings associated with day care centres, places of worship and public schools.

The Residential Mid Rise designation requires a minimum building height of three (3) storeys and a maximum building height of six (6) storeys, and a density in the range 1.5 FSI to 2.5 FSI.

The existing single storey Home Depot store would not be a permitted use or building type.

The Mixed Use High Rise designation permits the following uses:

- Commercial fitness centre;
- Commercial parking garage;
- Community college or university;
- Day care;
- Dwelling unit including a home occupation;
- Financial institution;
- Hotel;
- Motor vehicle sales facility within a building;
- Motor vehicle service station;
- Office;
- Place of entertainment;
- Place of worship;
- Private and commercial school;
- Public school;
- Restaurant;
- **Retail;**
- Secondary suite;
- Service;
- Community college or university;
- Commercial parking garage;
- Hotel;
- Motor vehicle sales facility wholly contained within a building;
- Motor vehicle service station;
- Place of entertainment;
- Shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised;
- Trade and convention centre; and
- Private club.

Outdoor storage and display uses are not included amongst the list of permitted uses in either the Residential Mid Rise designation or the Mixed Use High Rise designation.

The Residential Mid Rise designation permits the following building types:

- Apartment building;
- Multi-storey non-residential or mixed-use building;
- Stacked townhouse; and
- Townhouse.

The Mixed Use High Rise designation requires a minimum building height of four (4) storeys and a maximum building height of twenty-five (25) storeys, and a density in the range 2.5 FSI to 3.0 FSI.

Based on the above, it is our interpretation that the existing Home Depot store would not be permitted in its current location by the new designations of the proposed Official Plan, thereby rendering the use legal non-conforming.

Secondary Plans

The site is within the Markham Road Corridor – Mount Joy Secondary Plan area. The Secondary Plan is under development and has not yet been released by the City.

Conclusion

It is our interpretation that the draft Official Plan maintains the use permissions currently enjoyed by 3155 Highway 7 and 50 Kirkham Drive, except for outdoor storage and display. We request that the current use permissions including outdoor storage and display, be maintained through subsequent drafts of the new Official Plan. We recommend that the Mixed Use Mid Rise designation permit outdoor storage and display areas in association with a permitted retail store.

We appreciate that Section 10.1.3 of the new Official Plan affords recognition of existing development and uses as legal conforming. We believe that the above request conforms with and strengthens the intent of Section 10.1.3.

In addition, we request applicable mapping for the 3155 Highway 7 site be revised to remove the Greenway designation from the building envelope and match the existing Hazard Lands designation of the in-effect Official Plan.

The Residential Mid Rise designation does not recognize the existing Home Depot at 1201 Castlemore Avenue as a permitted use. Since the site is within an Intensification Area and Local Corridor, the most suitable land use designation may be Mixed Use Mid Rise, since the Residential Low Rise area adjacent to the site would not be compatible with an extended Mixed Use High Rise designation. We request the City to redesignate the whole site as Mixed Use Mid Rise.

The Mount Joy Secondary Plan may provide further clarity on the intended land use designations for 1201 Castlemore Avenue. We look forward to reviewing and providing comments on the Secondary Plan when it is released.

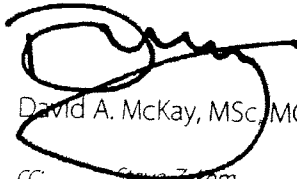
We respectfully request that City Staff confirm our interpretations as noted above and notify us of any further modifications and public meetings relating to the Official Plan.

We will continue to monitor the Official Plan Review process and provide further comment on future drafts of the policies as they become available.

Please feel free to call if you have any questions or concerns.

Thank you,

Yours truly,
MHBC



David A. McKay, MSc, MCIP, RPP
cc: Steve Zukem



Ryan Moore, MPI, MCIP, RPP, LEED • AP



Data Source: City of Markham Draft Official Plan - Map 3 - Land Use - Sept. 2012

Figure 1
CITY OF
MARKHAM DRAFT
OFFICIAL PLAN -
LAND USE

LEGEND:

- | | | |
|--|---|--|
|  Subject Lands |  Intensification Area |  Transportation and Utility and Parkway Belt West |
|  Building Envelope |  Business Park Office Priority |  Residential Low Rise |
|  Mixed Use Mid Rise |  General Employment |  Residential Mid Rise |
|  Commercial |  Business Park |  Mixed Use Office Priority |
|  Greenway |  Service Employment |  Mixed Use High Rise |

DATE: Sept 28, 2012 SCALE 1 : 12,500



Woodbine Ave. & Hwy. 7
 Home Depot
 City of Markham

N:19316V - Markham2012|September
 9316V - Report Figures - Sep 28-12

MHBC PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE
 230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 9G7
 P: 905 761 5388 F: 905 761 5389 | WWW.MHBCPLAN.COM



October 26, 2012

Judy Carroll
 City of Markham
 Markham Civic Centre
 101 Town Centre Boulevard
 Markham, ON. L3R 9W3

Dear Ms. Carroll

**RE: MON SHEONG FOUNDATION
 COMMENTS ON DRAFT NEW CITY OF MARKHAM OFFICIAL PLAN – SEPTEMBER 2012
 OUR FILE 1137A**

We are the land use planners retained on behalf of the Mon Sheong Foundation. We have had an opportunity to review Part 1 of the draft new City of Markham Official Plan (hereinafter "New Official Plan") in relation to our clients property located at 35, 67 & 73 Old Kennedy Road and 4550 & 4576 Steeles Avenue in the City of Markham. Our client recently received adoption of an amendment to the Official Plan and Zoning By-law to permit a retirement complex with independent living, long term care and assisted living units for seniors.

We recognize and anticipate that further details on permission including site-specific permissions would be found in the Secondary Plan of the New Official Plan (Part 2) and the Site-Specific Policies (Part 3), which are intended to be released at a later date. Our client simply wants to ensure that the proposed policies being brought forward will recognize and carry forward the site-specific permissions being approved on our client's property today. As such, we respectfully provide these initial comments and reserve the right to provide further comment on this part and subsequent parts of the New Official Plan as they become available. Kindly provide the undersigned with notice of any decision made with respect to the New Official Plan.

Respectfully submitted;

MHBC

Eldon C. Theodore, BES, MUDS, MCIP, RPP, LEED AP
 c. Tim Kwan, Mon Sheong Foundation

November 6, 2012

Mayor and Members of Council
City of Markham
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Clerk's Department

Via E-Mail

Dear Mayor & Members of Council:

**Re: City of Markham Draft Official Plan – Written Submissions to Council -
Hilton Hotel – 8500 Warden Avenue**

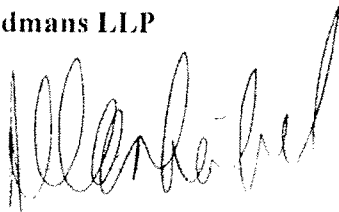
We are solicitors for Markham Suites Nominee Inc., the owner of the Hilton Hotel at the south-west corner of Warden and Highway 7.

We are writing in connection with the new draft City of Markham Official Plan. Our clients are generally supportive of the direction of the Plan.

As you know, our clients have applied for rezoning for further intensification of the Hilton property. We will be conferring with staff in an effort to eliminate any uncertainties that might arise by virtue of the inter-relationship between the new draft official plan and the existing Markham Centre Secondary Plan. These matters relate to height, density, parkland contribution, and other features of the draft Plan.

Yours very truly,

Goodmans LLP



Allan Leibel
AL/rl
(416) 979-7975

25

AIRD & BERLIS LLP

Barristers and Solicitors

Steven A. Zakem
Direct: 416.865.3440
E-mail: szakem@airdberlis.com

October 25, 2012

Our File No. 114201

BY EMAIL

Judy Carroll
Notifications Officer
City of Markham
Markham Civic Centre
101 Town Centre Boulevard

Dear Ms. Carroll:

Re: Draft City of Markham Official Plan – September 2012

We act on behalf of Frangian Holdings Limited (“Frangian”), registered owner of the lands municipally known as 7089 Yonge Street and 11 & 15 Grandview Avenue in the City of Markham (the “Subject Lands”).

Our client has active applications to amend City of Markham Official Plan and Zoning By-law 2237 which were recently appealed to the Ontario Municipal Board. The purpose of these applications is to permit the redevelopment of the Subject Lands with a mixed-use residential and commercial development.

As an owner of lands and the proponent of development applications in the City of Markham, our client has an interest in the new City of Markham Official Plan. In this respect, kindly provide the undersigned with written notice of the public hearing respecting the new City of Markham Official Plan scheduled for November 6, 2012, and written notice of any future meetings or decisions respecting the same.

Yours truly,

AIRD & BERLIS LLP


Steven A. Zakem

SAZ/ee

cc. A. Direnfeld
E. Theodore

13378364.1



October 26, 2012

Judy Carroll
City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

Dear Ms. Carroll

**RE: FRANGIAN HOLDINGS LIMITED
COMMENTS ON DRAFT NEW CITY OF MARKHAM OFFICIAL PLAN – SEPTEMBER 2012
OUR FILE 09160A**

We are the land use planners retained on behalf of Frangian Holdings Limited. We have had an opportunity to review Part 1 of the draft new City of Markham Official Plan (hereinafter "New Official Plan") in relation to our clients property located at 7089 Yonge Street and 11 and 15 Grandview Avenue in the City of Markham. Our client has active Official Plan and Zoning By-law Amendment applications that were recently appealed to the Ontario Municipal Board due to the City of Markham's failure to make a decision within the prescribed timeframe under the *Planning Act* A.S.O. 1990, c. P. 13, as amended.

The current City of Markham Official Plan designates the western portion of the property (7089 Yonge Street) "Commercial" and the eastern portion of the property (11 & 15 Grandview) "Urban Residential". In our initial review of the New Official Plan it is noted on Map 3 that the property is proposed to be shifted to a "Mixed Use High Rise" designation and part of an "Intensification Area". Mixed Use High Rise designations have been described in the New Official Plan as priority locations for intensification and will comprise of retail and service functions, high density residential units, and office uses. The designation requires that buildings shall have a minimum height of 4 storeys and a maximum height of 25 storeys, unless otherwise stated in a Secondary Plan or Site Specific Policy, and a general density range of 2.5 FSI to 3.0 FSI. Furthermore, Section 8.3.4.4 states that sites in an intensification area may have a density generally in the range of 2.5 to 3.5 FSI, subject to a 'comprehensive block plan' that shows the distribution of density across the site.

In addition, Appendix F of the new Official Plan identifies this property within an "Approved" Yonge-Steeles Corridor Secondary Plan and Appendix D of the New Official Plan identifies Grandview Avenue as a Minor Collector Road with an up to 24.5 metre right-of-way width. Both the current City of Markham Official Plan and the Thornhill Secondary Plan, identify Grandview Avenue as a Local Road, which generally have a right-of-way width of 20 metres.

Our client's proposal for the redevelopment of the property includes applications to permit a mixed-use residential and commercial development that includes 12,738.21 square metres of residential floor area, 979.14 square metres of retail space and 4,291.43 square metres of office space in two separate buildings (see attached plan). Building A consists of a 17-storey residential point tower, containing 136 condominium units, with a 4-storey podium containing office space and grade-related retail. Building B consists of eight three-storey live/work townhouses utilizing green roofs as amenity space. The proposed redevelopment will have a density ("FSI") of 3.5 times the area of the lot. The proposal as laid out is intended to implement the policy vision contemplated in the Yonge-Steeles Corridor Study.

Based on what has been released to date in the New Official Plan, our client is concerned with the proposed minimum height restrictions, and criteria for FSI permissions as presented in the "Mixed Use High Rise" designation. Concern and confusion has also been raised over the fact that the Yonge-Steeles Corridor is identified as an "Approved" Secondary Plan in the New Official Plan, when to our knowledge the Secondary Plan implementing the Corridor Study for this area has yet to be approved by Council. Additionally, the proposed change of Grandview Avenue from a local road to a Minor Collector Road and the related increase to the required right-of-way width was not contemplated in the Yonge - Steeles Corridor Study and may impact the development contemplated by our client.

We recognize and anticipate that further details on permission including site-specific permissions would be found in the Secondary Plan of the New Official Plan (Part 2) and the Site-Specific Policies (Part 3), which are intended to be released at a later date. As such, we respectfully provide these initial comments and reserve the right to provide further comment on this part and subsequent parts of the New Official Plan as they become available. Kindly provide the undersigned with notice of any decision made with respect to the New Official Plan.

Respectfully submitted;

MHBC



Eldon C. Theodore, BES, MUDS, MCIP, RPP, LEED AP

c. Giovanni Califano
Alan Direnfeld
Jonathan Weizel
Steve Zakem

13377544.1

SEE LAYOUT

GRANDVIEW AVENUE

PROPERTY LINE

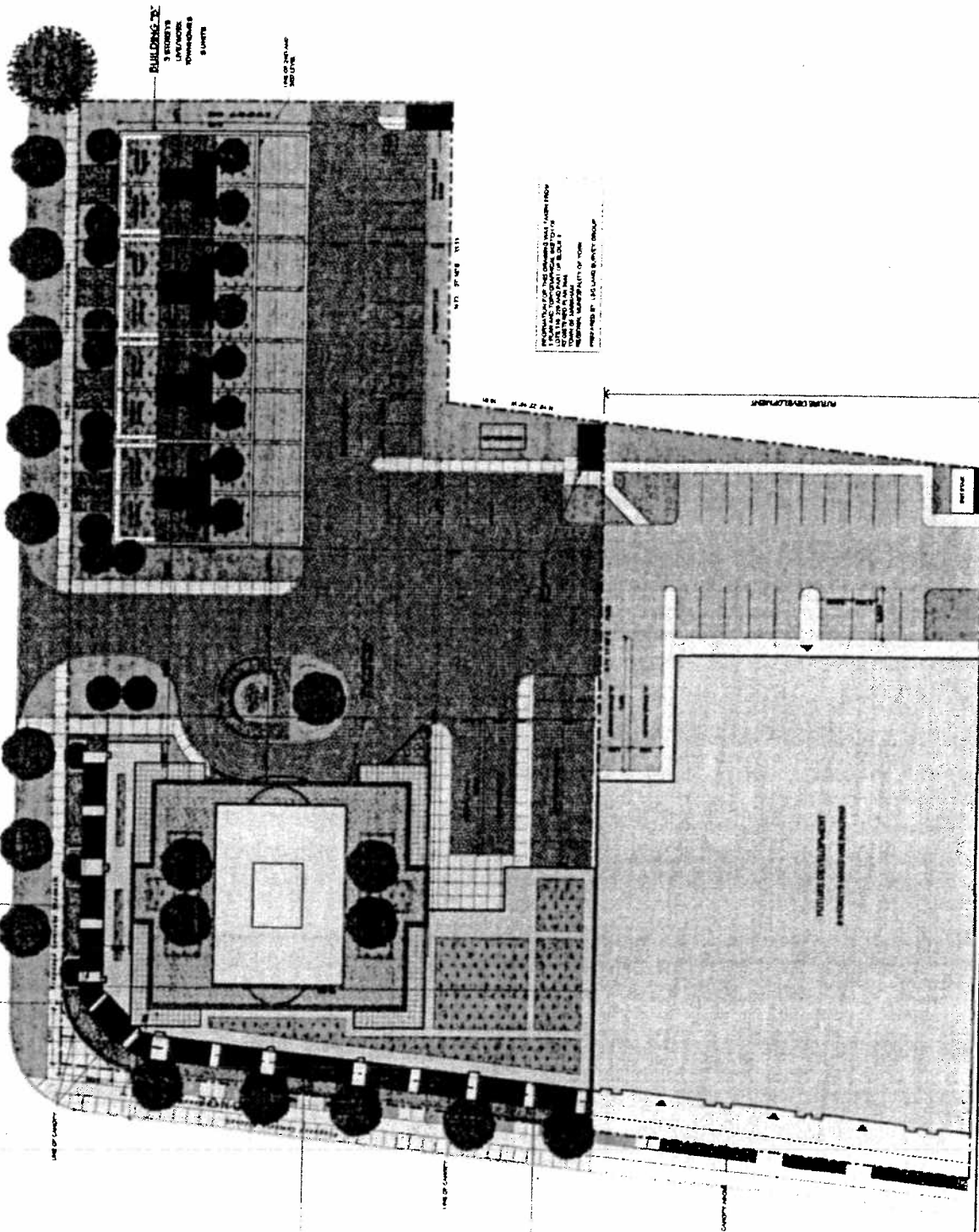
LINE OF SIDEWALK

LINE OF CURB

LINE OF CURB

LINE OF CURB

LINE OF CURB



BUILDING 'B'
 3 STOREYS
 LIVINGWORKS
 8 UNITS

BUILDING 'A'
 4 STOREYS
 15 UNITS
 15 UNITS OF MIXED-USE

4 STOREYS
 (15 UNITS - 3 OFFICES)

PROVIDED FOR THE DEVELOPER'S USE. THESE PLANS
 ARE NOT TO BE USED FOR ANY OTHER PROJECT
 WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT
 AND WITHOUT THE APPROVAL OF THE CITY OF
 TORONTO. ANY VIOLATION OF THESE TERMS
 SHALL BE AT THE USER'S SOLE RISK AND WITHOUT
 LIABILITY TO THE ARCHITECT.

**JONATHAN
 WEIZEL
 ARCHITECT**

1000 SHEPPARD AVENUE EAST, SUITE 100
 SCARBOROUGH, ONTARIO M1S 1W7
 TEL: (416) 291-1111
 FAX: (416) 291-1112
 WWW.JONATHANWEIZEL.COM



**MIXED-USE
 DEVELOPMENT**
 1000 SHEPPARD AVENUE EAST
 SCARBOROUGH, ONTARIO

Prepared by: Jonathan Weizel
 Date: 2010-02-12

Site plan
 Feb. 2010
 2926 A-12

Site Plan
 2010-02-12



MMM Group Limited
100 Commerce Valley Drive West
Thornhill, ON Canada L3T 0A1
t: 905.882.1100 | f: 905.882.0055
www.mmm.ca

April 8, 2011

14.10225.001.P01

Mayor Frank Scarpitti and Members of Council
Town of Markham
101 Town Centre Boulevard
Markham, ON
L3R 9W3

**RE: Town of Markham Official Plan Review Process,
Special Meeting of Council (April 12, 2011),
The Mandarin Golf and Country Club and AV Investments II Inc.**

Dear Mr. Mayor and Members of Council,

On behalf of our clients, The Mandarin Golf and Country Club ("Mandarin") and AV Investments II Inc. ("AV"), we would like to provide the following for consideration as part of the Special Meeting of Council on April 12, 2011, to identify areas to be addressed as part of the Town of Markham's Official Plan review process. Our clients have been proactively involved in both the Growth Management Strategy undertaken by the Town and the Region of York's Official Plan process and have provided a number of written submissions to ensure that their current business/land use and future land use interests are recognized.


Mandarin owns approximately 56 hectares of land on the east side of Kennedy Avenue, south of 19th Avenue, and leases an additional 10 hectares from adjacent landowners which have been used as an 18-hole championship golf course and related facilities for over 20 years. AV owns approximately 20 hectares of land, the westerly portion of which has been used for more than two decades as the golf course's practice driving range and the balance of which are working agricultural fields. The following provides a general overview of our clients concerns and we would ask that we be provided with an opportunity to undertake discussions with staff early in this process to examine these matters in more detail.

We recognize that a portion of our client's landholdings are currently designated "Hazard Lands" in the 2006 Consolidated Official Plan. However, the Town of Markham's proposed Greenway System shows an exorbitant amount of our client's landholdings to be included in the Greenway System of the new Official Plan which has not been properly justified from a technical perspective. Our client has had ecological studies undertaken which do not support the increased size of this "greenway" system, as there are no natural heritage features exhibited on these lands. To the contrary, a man-made drainage ditch crosses the AV landholdings, which was installed for agricultural purposes and the Mandarin lands have been landscaped and sculpted for golf course purposes for over 20 years. It appears that the Town is trying to create an east-west natural link through these lands, however the proposed expansion area does not contain the necessary ecological and natural elements and appears to simply duplicate the function of the Provincial Greenbelt to the north of 19th Avenue, which has already been regulated for this purpose. As a result, we would ask that as part of this Official Plan process that the proposed greenway system on our client's landholdings be examined in a more detailed manner and that the expanded natural heritage system designation be removed.

Our clients also support the land use structure and rationale brought forward by the North Markham Landowners Group ("*Land Needs and a Recommended 2031 Urban Boundary Expansion for North Markham*", April 2010), as it relates to the proposed "future urban designation" on our clients lands and lands outside of the proposed urban boundary expansion.

We would ask that we be notified of all future meetings related to this matter and be circulated on any staff reports, decisions, etc. If you have any questions, please feel free to contact the undersigned.

Kindest regards,



Diana Santo, MCIP, RPP
Senior Planning Director
Planning & Environmental Design

Cc. Jim Baird, Town of Markham
Tim Lambe, Town of Markham
Henry Hung, The Mandarin Golf and Country Club
Herbert Chang, AV Investments II Inc.
Rick Arblaster, Arblaster, Barrister & Solicitor

RICHARD R. ARBLASTER

BARRISTER & SOLICITOR

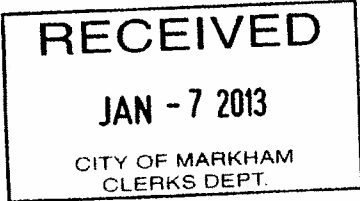
OF THE ONTARIO BAR and also a Solicitor (non-practising) of England & Wales

Suite 200
7100 Woodbine Avenue
Markham, Ontario
L3R 5J2
Tel: 416-410-8298
Fax: 416-410-8298
Email: rick@arblasterlaw.com
Web: www.arblasterlaw.com

Delivered by hand and email

January 7, 2013

Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3



Copy: Teema

Attention: Ms. K. Kitteringham, City Clerk

Dear Ms. Kitteringham,

Re: Proposed New City Official Plan

I am the solicitor for AV Investments II Inc., the owner of the property located at 11142 McCowan Road, and The Mandarin Golf and Country Club Inc., the owner of the property at 11207 Kennedy Road.

My client's and their consultants have reviewed the draft of the above document and have specific requests for changes to the draft. In this regard, attached is a copy of my client's Planning Consultant's report which sets out their analysis and comments. Please direct attention to the modifications which we request to the draft as set out on pages 5 and 6 of the comments letter.

We would be pleased to provide any further information that may be requested or to respond to any questions.

We look forward to the City's response.

Please provide us with notice of any upcoming public meetings on this subject.

Thanks in advance.

Yours Very Truly,

Richard R. Arblaster

Copy to: AV Investments II Inc.
The Mandarin Golf and Country Club Inc.
Ms. Judy Carroll@markham.ca



MMM Group Limited
100 Commerce Valley Drive West
Thornhill, ON Canada L3T 0A1
t: 905.882.1100 | f: 905.882.0055

www.mmm.ca

December 12, 2012

File No. 14.10225.001.P01

Mr. Richard R. Arblaster
Barrister & Solicitor
7100 Woodbine Avenue, Suite 200
Markham, Ontario
L3R 5J2

Dear Mr. Arblaster,

**Subject: City of Markham Official Plan Part I (Draft September 2012)
The Mandarin Golf and Country Club and AV Investments II Inc.
South of 19th Avenue between McCowan Rd. & Kennedy Rd., Markham**

On behalf of our clients, the Mandarin Golf and Country Club (“Mandarin”) and AV Investments II Inc. (“AV”), we are submitting comments in relation to the City of Markham Official Plan Part 1 (Draft September 2012). Our clients have been proactively involved in the Official Plan Review processes undertaken by the City of Markham and the Region of York, and have provided a number of written submissions to ensure that the current use of the property and business, and future land use interests are recognized.

Mandarin owns approximately 55 hectares of land on the east side of Kennedy Road, south of 19th Avenue, and leases an additional 6 hectares of land from an adjacent landowner (Duffers Development Limited “Duffers”), which lands have been used as an 18-hole championship golf course and related facilities for over 20 years. AV owns approximately 20 hectares of land that adjoin the Mandarin landholding to the east. The Mandarin and AV properties are referenced in this letter together as the “subject lands”. The westerly portion of AV’s landholding has been used for more than two decades as the golf course’s practice range and the balance of lands are working agricultural fields. The golf course and practice range lands were previously landscaped for these current land uses in and about 1990.

1.0 Current Markham Official Plan (Office Consolidation 2009)

The current Markham Official Plan (Office Consolidation 2009) Schedule A – Land Use designates the majority of the Mandarin lands, and all of the abutting lands on Kennedy Road owned by Duffers (and leased to Mandarin), as “Open Space” permitting golf course uses and the majority of

the “AV” lands as “Agriculture 1” permitting agricultural and related uses. A tributary to the Little Rouge Creek (Tributary A) traverses both landholdings from west to east and associated lands have been appropriately designated as “Hazard Lands” and associated policies note that Hazard Lands are subject to the requirements of the Toronto and Region Conservation Authority (TRCA) (Section 3.10.1). Another tributary of the Little Rouge Creek (Tributary B) flows through the AV lands from the north and merges with Tributary A. The remainder of lands are designated as “Agriculture A1”.

2.0 Zoning

The Mandarin and AV lands are zoned as “Agricultural One Zone” in Zoning By-law 304-87, which permit agricultural uses and related uses.

Minister’s Zoning Order (O. Reg. 104/72) restricts land uses in parts of North Markham to protect surrounding lands for a potential Federal Airport in Pickering. Section 33 permits golf course and accessory buildings and structures, including a club house, a tennis court, shop and pump house, subject to development standards on the subject lands.

3.0 Proposed Markham Official Plan (September 2000)

The City of Markham Draft Official Plan proposes to significantly alter the existing land use permissions on the subject lands and will have major negative implications for the future land use and development prospects for these lands. The Draft Official Plan proposes to designate a significant portion of the Mandarin lands and virtually all of the AV lands as “Greenway”, broadly following Tributary A and Tributary B (Map 1 – Markham Structure), with the remainder of the lands to be designated as “Countryside”.

The “Greenway” designation also covers lands currently used as a golf course pond and island containing a golf course green, which was designed, built, and landscaped by the Mandarin Golf and Country Club and contains limited ecological function. In fact, the pond is sustained through an artificial pumping system and is used for golf course irrigation.

Golf course uses are not included as permitted uses within the proposed “Countryside” designation (Section 8.8) or within the proposed “Greenway” designation (Section 3.1). These proposed designations do not recognize the existing use of these lands and are not consistent with our understanding of the environmental features on the lands. The “Greenway” designation should be deleted in favour of being identified as a “Flood Vulnerable Area” (Appendix A – Toronto and Region Conservation Authority Regulatory Framework), as discussed below, and the limits of development should correspond precisely with the regulatory floodplain.

Tributary A and Tributary B are proposed to be designated as “permanent and intermittent streams outside of the urban area” (Section 3.1.2.24, Table on page 3-12). A vegetation protection zone of 30 metres is identified, which is measured from the limit of the floodplain for drainage areas of 30 hectares or greater. These setback requirements will essentially render the majority of the Mandarin and AV lands unusable. A requirement for a 30-metre vegetation protection zone

adjacent to a floodplain is inappropriate in the circumstance where the floodplain is under agricultural production and the flood line is the limit of development. In this instance, standard conservation authority guidelines should apply (TRCA 10-metre development setback).

We note that the “Flood Vulnerable Area” associated with Tributary A and Tributary B is classified under “Natural Environmental Hazards” (Section 3.4.1). While we have no issue with this classification, an inequity arises from a related proposed policy:

To require conveyance of hazardous lands and hazardous sites within the “Greenway” designation at no cost to a public authority (Section 3.4.1.5).

It is important to note that the landowners of the Mandarin Golf and Country Club and AV Investments II Inc. do not intend to convey any portions of their landholdings to a public authority while the existing businesses and uses continue. Such conveyance would significantly impact the existing golf course uses and limit the existing business operation. We request that the City recognize the existing use of the property and business. We would suggest that the above policy be revised to clarify that conveyance is required at the time of, and in accordance with, urban development approvals and conditions.

4.0 Environmental Review Does Not Support a Proposed Greenway on the Subject Lands

Beacon Environmental prepared a review of Markham’s Environmental Policy Review and Consolidation Study (April 2009) and verified features associated with the AV lands through field investigations (see attached report dated November 23, 2009). Notes related to the Mandarin lands were also provided. Following is a summary of key findings and conclusions related to these properties from Beacon’s review of that report:

1. Tributary A and Tributary B are realigned, channelized watercourses. Tributary A functions as an agricultural drain requiring cleaning out every few years;
2. One record of Redside Dace, a Provincially Endangered fish species, has been identified for a location upstream of the Mandarin Golf Course. This capture occurred in 1972 and the presence of numerous barriers through the Mandarin Golf Club and the channelization of the main tributary removes any potential for this species to inhabit the subject properties;
3. The Draft Greenway mapping extends far beyond mapping for the approved and designed Provincial Greenbelt and Regionally Significant Forest, and is not reflective of the actual ecological constraints on these properties. It is stated that the Estimated Floodplain mapping, in particular, deviates considerably from the “Existing Floodplain” and is the primary basis for ascribing “Greenway” to extensive areas of active agricultural fields on the subject lands. The study recommends further floodplain analysis.
4. The proposed Enhancement Area/ Enhancement Corridor (now called Core Linkage Enhancements overlay) is oriented in a southwest to northeast direction and builds on disturbed remnant features of Tributary A and Tributary B. These features are surrounded

entirely by working agricultural fields and make a rather long linkage over a main road and through agricultural fields;

5. Tributary A is degraded, disconnected, and devoid of natural cover providing only limited ecological value (i.e., no presence of a species corridor, valleylands, woodlands, etc.). The current proposed linkage builds on the degraded Tributary A in an attempt to link to Little Rouge Creek to the east even though a 1.4 kilometre stretch of intervening lands is almost entirely under active agricultural use. It is noted in Markham's Environmental Policy Review & Consolidation: Background and Policy Framework (October 2008) that enhancement areas are intended to be located at "the point of least separation between the tributary corridors and where existing important features...can serve as ecological nodes at key points along connecting corridors". Beacon concludes that inclusion of Tributary A in the Core Linkage Enhancements overlay is inconsistent with this scientific objective; and
6. The City's Greenway has been mapped by incorporating mapping/data layers obtained from a variety of sources (the TRCA, the City, York Region, and the Province of Ontario) with variable levels of accuracy. All of these data layers should be verified at the site-specific level.

Based on the above, in our opinion, the City's proposed Greenway is not reflective of the actual ecological constraints on the subject lands and the delineation of the Greenway on the subject lands is not consistent with site-specific conditions. The Greenway incorporates various mapping layers and imprecisely uses the floodplain as a basis for applying the Greenway to working agricultural fields. Moreover, Tributary A is degraded, disconnected, and devoid of natural cover providing only limited ecological values, and it is unlikely that any species at risk (i.e., red side dace) exist within the tributaries. As such, there is no ecological basis, in our opinion, for establishing a Greenway on these lands and we would request that the "Greenway" designation on these lands be removed.

5.0 Floodplain Analysis Delineates the Actual Floodplain Limits

MMM Group Limited (MMM) completed a floodplain analysis in relation to the Mandarin and AV lands (See attached report dated October 12, 2011 and attached Figure 1). We note that the floodplain area in this analysis has been appropriately established to the Regional Flood Line and a 10 metre setback has been applied, in accordance with TRCA's requirements. The Regional Flood Line represents the greatest level of protection, which in this case, exceeds the 100-year flood event. Further protection is unnecessary. It is important to note that the regulatory floodplain is not a "natural feature" requiring buffering; rather, the flood line relates to a natural occurrence that is highly unusual and infrequent (Hurricane Hazel).

The floodplain limits on the subject properties are particularly wide – especially in relation to the AV lands, which are quite flat. As noted above, Section 3.1.2.24 suggests the need for a 30-metre wide Vegetation Protection Zone from the watercourse measured from the limit of the floodplain. In our view, the application of a 30 metre wide VPZ is inappropriate in the circumstance where the limits of the floodplain extend beyond any other environmental constraint. This is certainly the case

with the AV lands, where the floodplain is so broad, the lands between the watercourse and the floodplain limits are in agricultural production, and any other constraints associated with the watercourse, including buffers, would be contained within the floodplain.

It is important to note that the floodplain analysis concluded that improvements to the culverts at McCowan Road and opening a constricted area along Tributary A will reduce the size of the regulated floodplain area. We note that floodplain areas are identified as “Flood Vulnerable Areas” and are outlined on Appendix A (TRCA Framework). With regards to Floodplain Vulnerable Areas, the Draft Official Plan states that it is the policy of Council:

that the management of floodplain lands as generally shown in Appendix A – Toronto and Region Conservation Authority Regulatory Framework be based on the regulatory flood standard in accordance with Provincial standards and mapping produced by the Toronto and Region Conservation Authority (Section 3.4.1.6).

We assume that this policy provides for flexibility in delineation of the floodplain should improvements to the watercourse be implemented. Please confirm that this is correct.

We note that the Province does not require municipalities to apply a buffer from floodplain areas. We would request that the City does not apply the “Greenway” designation to the subject lands to unnecessarily buffer the floodplain areas associated with Tributary A and Tributary B.

6.0 Conclusion

In summary, we would suggest the following modifications to Markham’s Draft Official Plan:

i) Recognition of Existing Uses

The Mandarin Golf and Country Club has been operating on their lands and the adjacent AV and Duffers lands for over 20 years. The Draft Official Plan does not identify the golf course as a permitted use within the proposed “Countryside” or “Agricultural” designations, and this is a change from the existing Official Plan. There should be recognition in the Official Plan of the Mandarin Golf and Country Club, including the practice range on the AV lands and the lands leased from Duffers Development Limited.

ii) Deletion of the Greenway Designation

The proposed Greenway is inappropriate as it is based on a degraded, disconnected watercourse that is devoid of natural cover and provides only limited ecological value, and consequently will not provide the intended environmental linkage function. The Greenway incorporates various mapping layers and imprecisely uses the floodplain as a basis for expanding the Greenway onto working agricultural fields. The watercourse tributaries can be adequately protected through the Natural Environmental Hazards policies of Section 3.4.1 of the Draft Official Plan. Furthermore, Section 3.4.1.6 appears to provide for flexibility should improvements to the watercourse occur to reduce the size of the Flood Vulnerable Area.

Should removal of the proposed Greenway designation on the subject lands not be supported, we suggest that the City more accurately delineate the proposed Greenway to reflect the regulatory floodline and 10 metre development setback, as shown in the Figure 1. The Greenway should not include the ornamental/irrigation pond that was constructed by Mandarin as an essential element of golf course play and operation.

iii) Modification to Section 3.4.1.5

Section 3.4.1.5 of the Draft Official Plan requires the conveyance of hazardous lands, which would include lands associated with a floodplain, to a public authority. This section should be modified to require the conveyance at the time of urban development approvals, so that there is no misunderstanding that these lands are to be conveyed while functioning as a golf course or agricultural use.

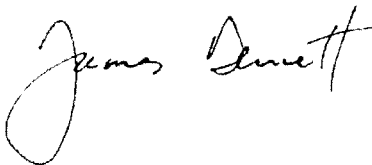
iv) Revision to Section 3.1.2.24 as Relating to VPZ From a Floodplain

The table contained in Section 3.1.2.24 identifies expectations for vegetation protection zones from different natural features. In the case of “permanent and intermittent streams outside of the urban area”, a VPZ of 30 metres, measured from the limit of the floodplain, is identified. This is excessive and unnecessary, as there is no basis for a buffer from a floodplain, which is not a natural feature or function, but rather a rare occurrence, and there is no basis for a vegetated protection buffer where the lands within the floodplain are farmlands or a golf course. We would suggest that the requirement for a VPZ for a stream be measured from the watercourse and not the floodplain. Provincial policy and the guidelines of the TRCA already provide adequate protection for hazard lands.

Please contact us should you have any questions or comments.

Yours truly,

MMM GROUP LIMITED



Jamie Bennett, MCIP, RPP
Senior Planning Manager
Planning and Environmental Design

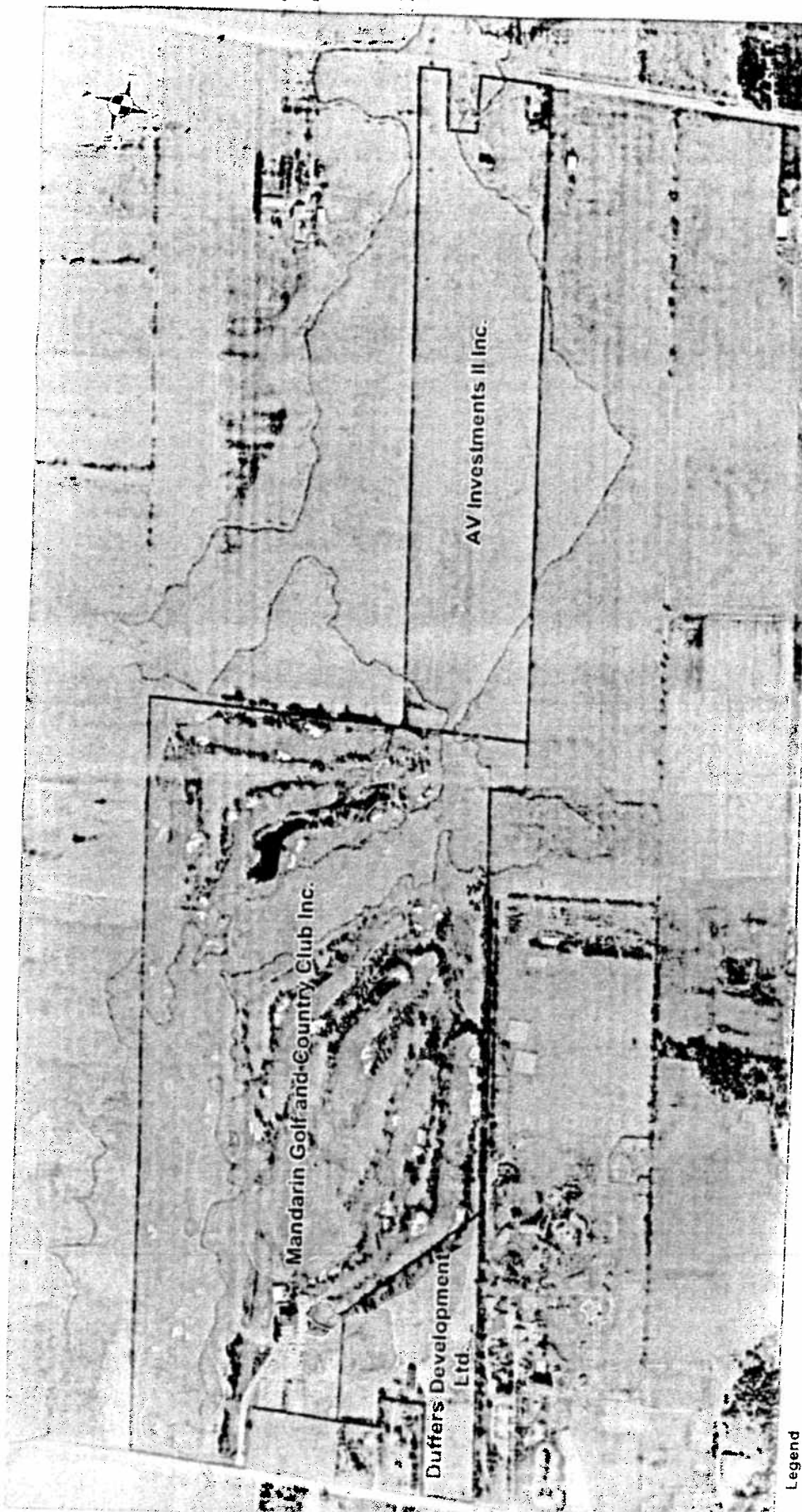
- Encl. - Figure 1 – Proposed Greenway System on Subject Lands
- Review of Town's Draft Environmental Policies, prepared by Beacon dated November 23, 2009
- Report for Assessment of Floodline Mapping, prepared by MMM Group Limited dated October 12, 2011







Cc: Henry Hung, Shiu Pong Group of Companies

/NB

M:\Jobs\2010\14.10225.001.P01 - Mandarin Golf Course\Correspondance\Comment Letter - Markham Draft OP (Sept. 2012) - FINAL (Dec. 4, 2012).docx



Legend

-  Landholdings
-  Regulatory Floodline (Regional Storm)
-  10m Offset - Regulatory Floodline (Regional Storm)
-  City of Markham Proposed Greenway Designation (September 2012)

Client	Mandarin Golf and Country Club Inc. and AV Investments II Inc.
Title	Proposed Greenway System on Subject Lands
Prepared by	MMM GROUP
Scale as Shown	1:1
Date	December 2012
Prepared for	City of Markham
Figure	1

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www.mmm.ca

November 15, 2012

Mr. Jim Baird, MCIP, RPP
Commissioner, Development Services
City of Markham
Markham Civic Centre,
101 Town Centre Boulevard,
Markham, Ontario, L3R 9W3

Dear Mr. Baird,

**RE: Draft Markham Official Plan (September, 2012)
Primont Homes (Cornell) Inc., 6881 Highway 7**

On behalf of Primont Homes (Cornell) Inc., MMM Group Limited (MMM) is providing the following letter in response to the City of Markham's Draft new Official Plan released on October 11, 2012. Primont is preparing to submit Zoning By-law Amendment and Site Plan Applications for proposed stacked townhouses located at 6881 Highway 7 (subject lands), east of Ninth Line and south of Avenue 7. The subject lands are within the Cornell Secondary Plan and Cornell Centre Precinct Plan area. The following letter provides comments in relation to Primont's lands based on our review of the Draft new Official Plan.

1) Land Use Designation, Density and Height

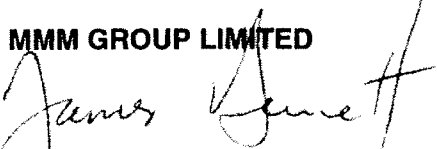
The subject lands are within Cornell Centre, which is identified as an "intensification area" and is designated "Residential Mid-Rise" on the Land Use Plan (Map 3). This Official Plan designation allows for the development of townhouses, small multiplex buildings containing 3-6 units, stacked townhouses, apartment buildings, and buildings associated with daycare centres, places of worship and public schools that are a minimum of 3 storeys and a maximum of 6 storeys in height. The Floor Space Index (FSI) for this designation is 1.5 to 2.0, unless the lands are located within an "intensification area" where the allowable FSI range is between 1.5 and 2.5 and the maximum height increases to 8 storeys.

We note inconsistencies with the Cornell Secondary Plan and the proposed Cornell Centre Precinct Plan. The Cornell Secondary Plan identifies a minimum 1.0 FSI along the south side of Avenue 7 which takes into consideration the low-rise single family homes in the "Residential Neighbourhood" designation that are directly south of the subject lands. The lower FSI is reflected in the proposed

In summary, we appreciate your consideration of our comments on the new Draft Markham Official Plan and are pleased to be part of the Official Plan process. We will continue to provide comments, when appropriate, throughout the Official Plan and proposed Precinct Plan processes. We would appreciate being notified of any meetings relevant to this process. Please contact us should you have any questions or comments in regards to the above-noted comments or related matters.

Yours Truly,

MMM GROUP LIMITED

for 
Chad B. John-Baptiste, MCIP, RPP
Senior Planner/Project Manager
Associate

Cc: Mr. Joseph Mirabella, Development Coordinator, Primont Homes
Ms. Catherine Jay, Manager, Urban Design, City of Markham



140 Renfrew Drive, Suite 201
Markham, Ontario L3R 6R3
Tel: 905-513-0170
Fax: 905-513-0177
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November 2, 2012

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 10-1984

Attention: Margaret Wouters, Senior Manager, Policy and Research

Dear Ms. Wouters;

**RE: Comments of Draft City of Markham Official Plan
CF/OT Buttonville Properties LP**

Malone Given Parsons Ltd., on behalf of the CF/OT Buttonville Properties LP (a partnership of Cadillac Fairview Corporation Limited and Armadale Co. Limited), is pleased to submit the following preliminary comments on the Draft Markham Official Plan. Additional comments will be provided once we have had an opportunity to complete a wholesome review of the draft OP with our client and consultant team.

We are particularly pleased to see that the Draft Official Plan recognizes the Toronto Buttonville Municipal Airport redevelopment. In particular, we note:

- Map 3 and Appendix F: Buttonville Airport Redevelopment Area;
- Map 10 Road Network: The potential Highway 404 flyover of Apple Creek Boulevard as a Special Study Area, and a Cachet Woods Court extension to Markland Street as a major collector road; and,
- Section 8.5.1.5: Which incorporates the Region of York Official Plan policy regarding the Buttonville redevelopment and includes policies for future land uses.

We have two requests for consideration and incorporation into the final version of the Markham Official Plan.

The secondary plan for the Buttonville Airport redevelopment requires a definitive land use designation within the Official Plan. The development program for the project does not fit

exactly into any of the land use designations proposed in *Section 8.0 Land Use*. The project is predominantly employment but also embodies elements of retail, mixed use and residential.

Based on the significance of the redevelopment, its scale and complexity, and recognizing that development will take place over an extended timeframe, the Buttonville Airport secondary plan area warrants a specific detailed land use designation. A site specific designation will ensure clarity as to intended uses and certainty as to what will be permitted now and through future phases of development.

We are currently working with City and Regional staff to determine the most appropriate land use designation, one that incorporates substantial intensification and the widest ranges of uses.

We request that Map 3 and Appendices A, E and F be revised to reflect the property boundary shown in the Buttonville Secondary Plan application. The boundaries of the Toronto Buttonville Municipal Airport are not correctly shown on Map 3, Appendix A, and Appendix E. Adjacent properties also comprise the airport/redevelopment lands. In addition, the secondary plan area to be approved for the Buttonville Airport redevelopment on Appendix F is not consistent with the secondary plan application now being processed by the City.

We would like to request a meeting with staff to review our comments and concerns on the draft Official Plan.

Thank you for the opportunity to provide input to the draft Markham Official Plan process. I look forward to discussing our requests with City Staff. Please contact me at your convenience at 905.513.0170 to arrange a meeting.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Donald F. Given MCIP, RPP
President
dgiven@mgp.ca

cc: Clerks Department, City of Markham
Finley McEwen, Cadillac Fairview Corporation Limited
Nick Pileggi, Malone Given Parsons Ltd.

November 2, 2012

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 11-2073

Attention: Margaret Wouters, Senior Manager, Policy and Research

Dear Ms. Wouters

**RE: Comments on City of Markham Draft Official Plan
IBM Canada**

Malone Given Parsons Ltd., on behalf of the IBM Canada, is pleased to submit preliminary comments on the Draft Markham Official Plan. IBM owns lands in Markham Centre, on the west side of Warden Avenue, south of Cedarland Drive at 8200 Warden Ave. The property is 95 acres and is home to IBM's Software Development Lab. We will provide more detailed comments once we have had an opportunity to review the OP with our client and consultant team.

Figure 1: Location of Subject Lands



Source: Google Earth

Markham Official Plan (revised 1987)

The existing City of Markham Official Plan (OP) designates the subject lands Commercial. The Commercial designation is further organized into subdesignations; Schedule 'H' of the OP shows the lands designated as Community Amenity Area.

The Commercial – Community Amenity Area designation generally permits a range of land uses including retail, office, recreation, institutional and restaurants. Medium and high density residential uses are also permitted subject to a re-zoning, as long as the planned function of the lands is maintained and the location is appropriate.

The planned function of the Community Amenity Area designation is to provide for a multi-use, multi-purpose centre offering a diverse range of retail, service, community, institutional and recreational uses serving several nearby residential and/or business areas. They shall function as significant and identifiable focal points for the areas served. The Commercial – Community Amenity Area designation is also intended to accommodate office development and medium and high density housing at appropriate locations.

Markham Centre Secondary Plan (1997)

The subject lands are designated Community Amenity Area- Major Urban Place as identified in Schedule 'AA' – Detailed Land Use of the Secondary Plan.

The Community Amenity Area – Major Urban Place designation is intended to develop and function as the primary mixed-use activity area of Markham's Town Centre and shall accommodate the highest concentration of development.

Draft Markham Official Plan

The existing City of Markham Official Plan (OP) proposes to redesignate the subject lands to an Employment Area designation, with a Business Park Office Priority subdesignation.

The draft OP also depicts the 'Regional Rapid Transit Corridor' along South Town Centre Boulevard, continuing to the south, through the IBM lands to the future extension of Enterprise Boulevard on the west side of Warden Avenue. This appears inconsistent with the current construction of the Viva Rapidway along Cedarland Drive and Warden Avenue.

IBM Comments

IBM is very concerned with the proposed redesignation of the subject lands from an open and flexible Community Amenity designation (mixed use) to an Employment designation.

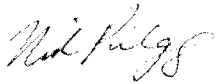
We believe that the conversion in designations amounts to a downgrading of the permissions on the property and IBM is opposed to any designation which serves to remove the flexibility for future development on the site.

Further, we are concerned with the depiction of the Regional Rapid Transit Corridor through the IBM lands.

We understand that Markham will be holding a number of meetings and open houses in the coming months to review and discuss the New Official Plan. On behalf of IBM, we would like to request a meeting with staff to further review and discuss our concerns in detail.

Thank you for the opportunity to input to the draft Markham Official Plan process. I look forward to discussing our requests with City Staff. Please contact me at your convenience at 905.513.0170 to arrange a meeting.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Nick Pileggi MCIP, RPP
Principal
npileggi@mgp.ca

cc: Clerks Department, City of Markham
Susan Lawton, IBM Canada
Leo Longo, Aird & Berlis



ZELINKA PRIAMO LTD
A Professional Planning Practice

30.

November 6, 2012

City of Markham
Clerk's Department
Markham Civic Centre
101 Town Centre Blvd.
Markham, ON L3R 9W3

Attention: Judy Carroll

Dear Ms. Carroll:

**Re: Public Meeting - City of Markham Official Plan Review
September 2012 Draft Official Plan – Part I
Preliminary Comments on Behalf of Loblaw Properties Limited
Our File: LPG/LPL/94-01**

We are the planning consultants for Loblaw Properties Limited ("Loblaws"), which is the owner or lease holder of the following lands within the City of Markham:

- Vacant lands at HWY 404/Major Mackenzie;
- Loblaws at 200 Bullock Drive;
- T&T at 9255 Woodbine Avenue;
- No Frills at 7075 Markham Road at Steeles;
- No Frills at 8601 Warden Avenue at HWY 7;
- No Frills at 5762 Highway 7 East west of Markham Road;
- No Frills at 9301 48 HWY (Markham and 16th); and
- Giant Tiger (former No Frills) at 7200 Markham Road at Denison.

We have been monitoring the Official Plan Review process and have reviewed the City's Draft Official Plan – Part I (Draft Official Plan) on behalf of Loblaws. We have preliminary comments on the Draft Official Plan as outlined below, and may provide further comments throughout the process, as required.

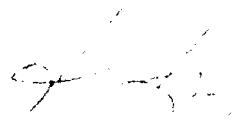
1. As you are aware, the vacant lands located at HWY 404/Major Mackenzie are subject to the December 1, 2005 Ontario Municipal Board (OMB) decision, which states that Official Plan policies will be prepared to implement a large format retail development on these lands, subject to the Agreement set out in the (OMB) decision. Our review of policies of the September 2012 Draft Official Plan indicates that this OMB decision has not been acknowledged by the City. However, based on a telephone conversation on Tuesday October 30, 2012 with City staff, we understand that Site Specific Policies, which are anticipated to be completed by the end of this year and incorporated into a subsequent version of the Draft Official Plan, will acknowledge the OMB decision for lands at HWY 404/Major Mackenzie. We look forward to reviewing the forthcoming Site Specific Policies and may provide further comments on the draft policies following our review

2. Map 3 of the Draft Official Plan proposes to change existing land use designations from "Commercial (Major Commercial Area)" (200 Bullock Drive), and "Commercial (Community Amenity Area)" (the remaining sites) to "Mixed Use Mid Rise". Loblaw's is concerned with Policy 8.3.3.5 c), which states that for the "Mixed Use Mid Rise" designation, the gross floor area of any individual retail establishment shall not exceed 6,000 sq. m. Of concern is that floor space permissions for existing food stores/retail establishments on Loblaw owned/leased sites may already exceed this limit. Where this is the case, we respectfully request that existing floor space permissions be carried over to the Draft Official Plan under a special Policy.
3. Policy 8.3.3.4, requires a minimum building height of 3 storeys and a maximum building height of 12 storeys unless otherwise specified in a secondary plan or site specific policy, and implemented by a site density generally in the range of 1.5 to 2.5 FSI (or 1.5 to 2.5 in an intensification area, subject to a comprehensive block plan). It is unclear whether this requirement would apply to proposals for expansions or additions to existing buildings, and we respectfully request clarification.
4. Policy 8.3.3.1 d) states that Council will "ensure a mix of uses on large sites by not allowing a site to be developed exclusively with residential or non-residential development". It is unclear how this policy applies to sites that are already developed. We respectfully request clarification as to whether it would apply to proposals for expansions or additions to existing buildings and developed sites.
5. We have also undertaken a preliminary review of the Urban Design and Sustainable Development policies of Section 6.0 of the Draft Official Plan, and are concerned with Policy 6.1.8.7, which states that "it is the policy of Council to organize and locate on-site parking facilities, service and loading areas underground, internal to the building or at the rear of the building". As currently written, this policy does not allow for flexible implementation and interpretation on a site by site basis, and does not consider the specific parking needs of certain uses, such as food stores. We note that Policy 8.3.1.3 f) of the "Mixed Use Mid Rise" designation also addresses parking, but includes great flexibility by stating that "parking should generally be located at the side or rear of buildings, or below grade, and will be designed to provide convenient access to retail and service uses". We suggest that Policy 6.1.8.7 be revised to include more flexible language (similar to Policy 8.3.1.3), in order to allow for implementation and interpretation on a site by site basis.

Should you have any questions, or if you require further information, please do not hesitate to call. Please also kindly ensure the undersigned is listed to be given notice of any further public meeting or meetings of council or committees of council at which the above-noted matter is considered.

Yours very truly,

ZELINKA PRIAMO LTD.


Harry Froussios, BA, MCIP, RPP
Senior Planner

cc. Mr. Steve Thompson, Loblaw Properties Limited
Mr. Steve Zakem, Aird and Berlis LLP



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November 6, 2012

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 06-1558

Attention: Marg Wouters, Senior Manager, Policy and Research

Dear Ms. Wouters;

**RE: City of Markham Draft Official Plan Review
Markham Stouffville Hospital**

Malone Given Parsons Ltd. has reviewed the proposed new Official Plan on behalf of Markham Stouffville Hospital Corporation (MSH), and we have some preliminary comments.

We note that the draft Official Plan proposes to designate the MSH property "Mixed Use Health Care Campus" along with adjacent community lands. We have reviewed the proposed Mixed Use Health Care Campus policies (Section 8.3.6) and Appendix F- Secondary Plan Areas and have some questions. While we are supportive of intensification opportunities, we wish to understand more about the intended implementation and status of the Cornell Centre Secondary Plan.

We respectfully request a meeting with City staff to clarify these matters.

Thank you.

Yours very truly,
MALONE GIVEN PARSONS LTD.

A handwritten signature in cursive script that reads 'Jim Kirk'.

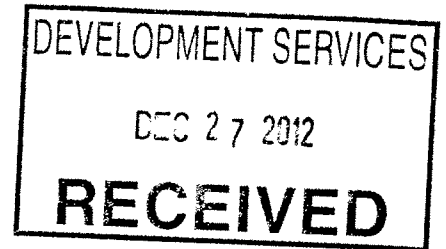
Jim Kirk MCIP, RPP
Partner
jkirk@mgp.ca

cc: Suman Bahl, Markham Stouffville Hospital
Mac Cosburn, Markham Stouffville Hospital
Clerks Department

The Planning Partnership

Urban Design, Landscape Architecture, Planning, Communications

Margaret Wouters
 Senior Manager, Policy & Research
 City of Markham Development Services
 101 Town Centre Boulevard
 Markham, Ontario
 L3R 9W3



INTRODUCTION

Further to our meeting on November 26, 2012, we are writing you with respect to the proposed land use designation on the lands known as 44-52 Esna Park Drive in the City of Markham (the "Subject Lands").

The meeting on November 26 was attended by the following individuals:

Margaret Wouters, City of Markham
 Elisabeth Stewart, City of Markham
 Richard Kendall, City of Markham
 Bruce Hall, The Planning Partnership
 Dr. Jarley Koo, Lincoln House Inc. Principal
 Mannar Ip, tenant/operator of Shangri-La Banquet and Convention Centre
 Cynthia Wong, CBRE, real estate advisor to Lincoln House Inc.

The Planning Partnership was retained by Lincoln House Inc. in July 2012 to undertake a planning assessment of possible future uses of the property, including an evaluation of potential redevelopment scenarios of the Subject Lands.

Prior to beginning this work, The Planning Partnership undertook a review of current and emerging planning policy in the City of Markham. Part of our review involved looking at the new designations under the proposed Official Plan. This review revealed a fairly fundamental shift in the permitted uses and land use policies that apply to the Subject Lands.

This is of some concern to our client since a successful banquet hall and event centre currently operates on this site and has been in continual existence and operation on the property since 1996.

t 416.975.1556
www.planpart.ca

1255 Bay Street, Suite 201
 Toronto, Ontario, M5R 2A9



Based upon our review of the proposed new land use designation and policies and the changing nature of those policies, our client wishes to retain the existing land use permissions and have these uses carried through into the new Official Plan.

At our meeting, you indicated that proposed policy under Section 10.1.3 provides for recognition of legally existing development and land uses and that you would be open to providing some additional clarity and certainty to permit the continuation of the legally existing development and land uses through the addition of a site specific exception or policy. Your suggestion at that same meeting was that we make a formal written request regarding this matter and that is the purpose of this letter.

BACKGROUND

The Subject Lands are located at 44-52 Esna Park Drive in Markham, which is located on the north side of Esna Park Drive, east of Woodbine Avenue and just to the west of where Esna Park Drive intersects with Alden Road as shown on the following aerial image.

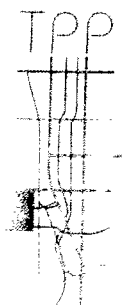
The property and building at 44-52 were originally owned by the Toronto Firefighters Club. The facility was purposely built for them in the 1960's as a venue for their members to gather for various social and administrative events such as meetings, parties, weddings and other functions. The property has been used continuously for these types of social and entertainment functions, first by the Toronto Firefighters Club and later as the Shangri-La Banquet Hall and Convention Center, for more than 50 years and has never been used in an industrial capacity during its history.

The Subject Lands have a frontage of approximately 150 metres on Esna Park Drive by a depth of about 250 metres and comprises approximately 4.01 hectares (9.92 acres) of total land area. The site is generally flat and free of vegetation on the southerly portion, while vegetation (tree cover) exists on the northern portion of the property.

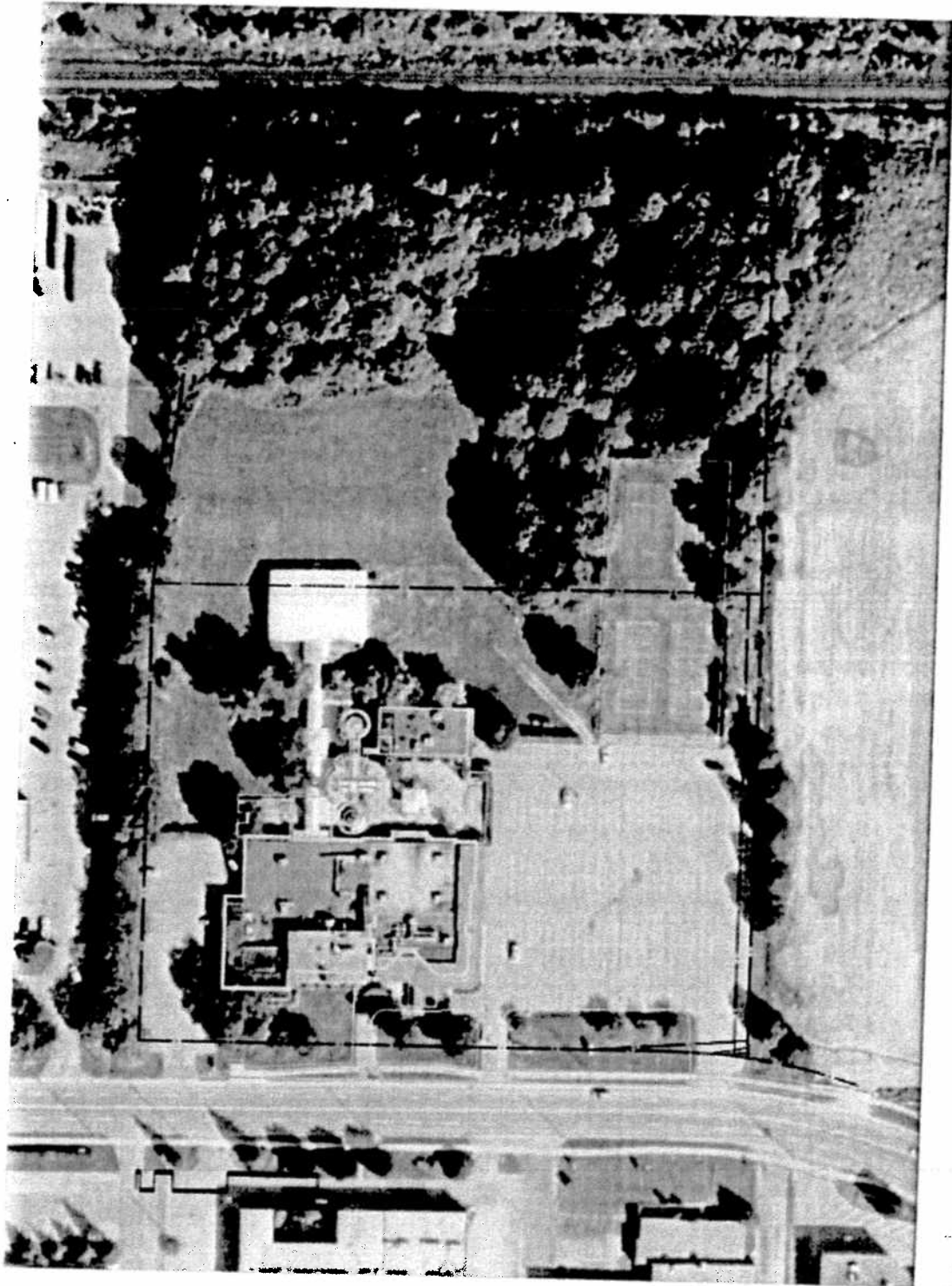
The City of Markham has recently completed the Rodick Road extension which extends Rodick Road south from Riviera Drive over the CNR tracks and then connects with the intersection of Esna Park Drive and Alden Road, immediately to the east of the Subject Lands. Once this extension is opened, the site will enjoy or be exposed to a significant increase in visibility, accessibility and traffic flows.

The site contains a two storey building which has a gross floor area of approximately 3,000 m². The main building presently operates as a banquet hall and convention facility. In addition to this main building, there is an ancillary building which located to the rear with a gross floor area of about 600 m². The ancillary building is currently used mainly for storage.

The site also contains surface parking areas, including a main area to the east and north of the building with approximately 250 parking spaces, and a smaller area on the west side of the building with approximately 22 parking spaces. There are 4 tennis courts located to the north and east of the



44-52 ESNA PARK DRIVE, MARKHAM



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main building, comprising approximately 2,500 square metres in paved area. We understand that these are no longer being used for tennis, but rather for overflow parking during large events.

With the relatively modest amount of buildings or structures on the property, the existing coverage represents only about 6 to 7% of the land area. As such, the site is significantly under-utilized in its current form and given that there is about 4 hectares of land involved, consideration should be given regarding potential opportunities for future expansion, intensification and redevelopment.

EXISTING MARKHAM OFFICIAL PLAN

Under the existing Markham Official Plan, the Subject Lands are designated Industrial (Business Corridor Area). The Industrial (Business Corridor Area) designation addresses the planned function for such areas and identifies them as locations for a mix of high quality business activities primarily in corridors along major road frontages. The lands are intended for industrial and office uses that require exposure offered by such locations to accommodate the needs of nearby companies.

Permitted uses within the Industrial (Business Corridor Area) designation under the current Official Plan include:

- Offices
- Light industrial uses
- Banks and financial institutions
- Hotels and motels
- Trade and convention centres
- Ancillary retail uses where internally integrated as a component of an office building or hotel;
- Service uses consistent with the planned function and policies of the category
- Accessory and incidental retail uses associated with permitted light industrial uses
- Sports, health and fitness recreational uses
- Day care centres
- Restaurants, where integrated with other uses as a component of a larger building
- Research and training centres;
- Data processing and related activities;
- Commercial schools;
- other similar uses consistent with the planned function of the area.

Provided it can be demonstrated that the following uses are consistent with the planned function, the following uses may also be permitted in the Industrial (Business Corridor Area) designation, subject to review of a site specific development proposal and rezoning:

- Mixed use centre (subject to the specific criteria);
- Retail uses (subject to the specific criteria);
- Entertainment uses;



- Institutional uses;
- Night clubs;
- Banquet halls;
- Automotive service stations;
- Car washes;
- Free-standing restaurants;
- Funeral homes; and,
- Places of worship, subject to the Provisions of Section 2.17

PROPOSED MARKHAM OFFICIAL PLAN

In February 2011, the City authorized the preparation of a new Official Plan. The need to undertake a review stemmed from a requirement to address Provincial legislation and policies as well as a need to reflect the new planning direction that Markham is taking in the development of several new communities as well as new strategic directions being taken in different areas. The first draft of the new Official Plan was released in September 2012.

One theme that is prevalent in the new Official Plan is the protection of employment lands. This issue is also consistent with greater protection that was afforded through other pieces of Provincial planning policy, including the PPS, Places to Grow and Bill 51 (Planning and Land Conservation Statute Amendment Act, 2006).

The Draft Markham Official Plan recognizes that it is essential to provide and protect sufficient land for future employment growth to ensure Markham's economy continues to grow. Chapter 5 of the new Plan, entitled a "A Strong and Diverse Economy", provides policies focused on the maintenance and protection of employment areas from uses which may jeopardize the continued viability of employment areas. This includes providing a land use planning environment that is supportive of the operational needs of industry.

Chapter 8 of the new Official Plan deals with land use and Section 8.5 provides a new structure for designated Employment Lands in the City. There are now four new Employment Land designations, each with particular use provisions, development criteria and standards:

- Business Park Employment;
- Business Park Office Priority Employment;
- Service Employment; and,
- General Employment.

The Industrial (Business Corridor Area) land use designation under the current Official Plan that previously applied to the Subject Lands has now been replaced as it relates to the Subject Lands by a proposed "General Employment" land use designation under the new Official Plan.



Lands designated General Employment are characterized by large properties developed with single and multiple use buildings, often single storey and laid out to accommodate truck movements and loading. Some buildings contain second storey office spaces. Manufacturing, processing and warehousing uses predominate within the designation, supplemented by some accessory retail or service uses. The intent of the land use designation is to provide stable locations for manufacturing, processing and warehousing uses and to restrict the introduction of sensitive land uses. Accessory and ancillary uses shall be limited to directly supporting the primary industrial uses, with the overall intent being to maintain the viability and continued operation of the permitted uses.

This characterization of General Employment Areas under the proposed new Plan is dramatically different than the actual historical and present characteristics of the Subject Property. The difference in the Subject Property may thus warrant special consideration in the application of this generic designation to this specific property.

Permitted uses within the General Employment Area designation under the new Plan shall include:

- Manufacturing, processing and warehousing with controlled outdoor storage (located to the rear or side of the building)
- Retail and/or service uses accessory to the primary manufacturing, processing or warehousing use and located in the same premises (subject to size limits)
- Office uses that are accessory to a primary manufacturing, processing or warehousing use and located in the same premises; and,
- A trade school.

The following discretionary uses are permitted in the General Employment Area designation subject to review of a site specific development proposal and rezoning:

- Ancillary use within an industrial building (subject to limitations);
- An ancillary office use located within a building (subject to limitations); and,
- Motor vehicle body shop and repair garage with controlled outdoor storage.

The following uses shall be prohibited in the General Employment Area under the new Official Plan:

- a) Community college or university;
- b) Private school;
- c) Private club;
- d) Commercial fitness centre;
- e) Hotel;
- f) Funeral home;
- g) Medical office;
- h) Commercial storage facility;
- i) Financial institution;
- j) Motor vehicle service station;

A handwritten signature in black ink is written over a rectangular stamp. The stamp contains the letters 'TPP' at the top, followed by a grid of vertical lines. The signature appears to be 'TPP' followed by a stylized name or initials.

- k) Motor vehicle sales or rental;
- l) Commercial parking garage;
- m) Day care centre;
- n) Place of worship;
- o) Trade and convention centre;
- p) Commercial school;
- q) Banquet hall;
- r) Night club; and,
- s) Adult entertainment.

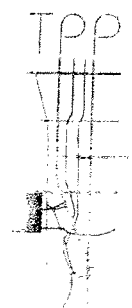
In the table attached to this letter, it provides a summary of the discretionary uses are permitted in the General Employment Area designation subject to review of a site specific development proposal and rezoning:

MARKHAM ZONING BY-LAW 108-81, AS AMENDED BY BY-LAW 114-96

The Subject Lands are zoned Business Corridor (B.C.) under By-law 108-81, as amended. By-law 114-96 was adopted by Town of Markham on June 11, 1996. The purpose of the Site Specific By-law was to rezone the Subject Lands (referred to in the By-law as 50 Esna Park Drive) from the Select Industrial with Controlled Storage zone, or M(CS) zone, to the Business Corridor (B.C.) zone and to establish site specific development standards for the Subject Property.

By-law 144-96 established definitions of "Banquet Centre" and "Conference and Convention Centre" and site specific permitted uses and development standards for the Subject Property. The permitted uses include:

- Banks and Financial Institutions;
- Banquet Centre;
- Conference and Convention Centre;
- Day nurseries and Day Care Centres;
- Health Centres;
- Recreation Establishments;
- Offices;
- Places of Entertainment;
- Research and Training Centres;
- Restaurants;
- Restaurants (Fast Food); and,
- Restaurants (Take-Out).



In addition, the By-standards limit the height of any building or structure to 14 metres and provide specific parking standards for these uses. The remaining standards of By-law 101-81 continue to apply.

IMPLICATION OF PROPOSED OFFICIAL PLAN ON EXISTING LAND USE AND ZONING PERMISSIONS

Under the recently released draft of the proposed new Markham Official Plan, there have been new land use designations that have been created and the result is a dramatic shift in the focus and planned function of the various employment area designations. These changes have implications on the current development rights attached to the Subject Lands

The proposed General Employment designation under the New Official Plan is very different from the "Industrial (Business Corridor Area)" designation in the current Official Plan, in that it provides for a much more limited range of permitted primary and ancillary or secondary uses and it's approach is much more extensive and prescriptive in terms of those uses which are specifically prohibited.

Many of the existing permitted land uses on the Subject Lands, including the currently operating banquet hall and convention centre facility business activities have been eliminated as a permitted use and are now proposed to be expressly prohibited. The original land use designation and the zoning of the Subject Lands was amended in order to specifically permit the existing banquet hall and convention facility use some time ago and the business has been operating since that time and continues to do so.

However, with the proposed changes under the new Official Plan, many of the currently permitted land uses on the Subject Lands under the existing Official Plan and Zoning, will now be expressly prohibited. In our view, the proposed General Industrial land use designation that is to apply to the Subject Lands greatly diminishes the options available for the future use of the land and opportunities for future redevelopment, including prohibiting the existing use of the land and buildings for a Banquet Hall and Convention Centre facility.

The Subject Lands are located on a major collector road and represent a very visible, accessible and prominent location in the Business Park, particularly with increased visibility and traffic once the Rodick Road extension is opened. In addition, the property is vastly underutilized at the current time and represents a significant opportunity for redevelopment in the future given the large land area involved.

Although Lincoln House Inc. is currently giving consideration to the future of the property and potential scenarios for its intensification, adequate protection of the existing banquet hall use needs to be incorporated into the new Official Plan. Shangri-La Banquet Hall and Convention Centre has been in existence at this location and operated continuously since 1996, employing many local residents during that period. The facility is well-known in the Chinese community in Markham, York Region and beyond and considered to be one of the top 3 such facilities in the community. As a

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result of the Official Plan review, there needs to be some greater certainty so that it can continue to operate into the future under the proposed new Official Plan without unnecessary restrictions, including the potential to expand and develop.

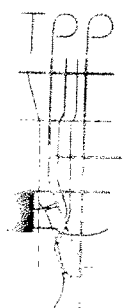
Under Section 10.0, Interpretation, it indicates that it is the policy of Council:

“10.1.2 To recognize that legally existing development and land uses shall be deemed to conform to this Plan as they exist at the time this Plan is adopted.”

This policy provides a formal mechanism in the new Plan to recognize existing legal uses. At our meeting, you elaborated that the effect of this policy would be that all existing uses on the property as well as uses listed as being permitted under the existing zoning by-law would be allowed to continue as well as to expand those uses or to establish new uses in accordance with the zoning. It was discussed that that the policy would also provide Dr. Koo with the opportunity to redevelop the property, in accordance with the existing zoning. Our client believes this to be of benefit and wishes to have this confirmed in writing. Further, since the existing permissions under the current zoning were established as the result of a site specific amendment to the By-law, they would like to see the permission for the uses formalized by way of a special exception or site-specific policy applying to the property under the new Official Plan. At our meeting, you expressed a willingness to implement this in such a manner.

As a result, our clients respectfully request that the following uses be incorporated by way of a specific exception or section be incorporated into the new Official Plan:

- Banks and Financial Institutions;
- Banquet Centre;
- Conference, Trade and Convention Centre;
- Day nurseries and Day Care Centres;
- Health Centres;
- Recreation Establishments;
- Offices;
- Places of Entertainment;
- Research and Training Centres;
- Restaurants;
- Restaurants (Fast Food); and,
- Restaurants (Take-Out).
- Light industrial uses
- Hotels and motels
- Ancillary retail uses where internally integrated as a component of an office building or hotel;
- Service uses consistent with the planned function and policies of the category
- Accessory and incidental retail uses associated with permitted light industrial uses



- Sports, health and fitness recreational uses
- Day care centres
- Data processing and related activities;
- Commercial schools;
- Mixed use centre (subject to the specific criteria under current OP);
- Retail uses (subject to the specific criteria under current OP);
- Institutional uses;
- Private Clubs and entertainment uses;
- Night clubs;
- Automotive service stations;
- Car washes;
- Funeral homes.

At our meeting, there was concern expressed with allowing certain more intensive public uses, such as Places of Worship, given the potential conflicts with certain intensive employment generating uses. We wish to confirm that Lincoln House Inc. has no issue with that use being excluded or prohibited.

We thank you for your cooperation in this matter and are available at any time to discuss or review any potential wording or implementation of this request.

Bruce Hall

Bruce Hall, BES, MCIP, RPP
Associate, The Planning Partnership

- cc. Elisabeth Stewart, City of Markham
Richard Kendall, City of Markham
Mannar Ip, Shangri-La Banquet and Convention Centre
Cynthia Wong, CBRE



44-52 ESNA PARK DRIVE, MARKHAM (LINCOLN HOUSE INC.) - PERMITTED LAND USES UNDER CURRENT AND PROPOSED OFFICIAL PLANS AND EXISTING ZONING

Use	Permitted Under Current OP	Permitted Under Current Zoning	Prohibited By New OP
Offices	√	√	√* ³
Light industrial uses	√		√* ³
Banks and financial institutions	√	√	X
Hotels and motels	√	√	X
Trade and convention centres	√	√	X
Ancillary retail (in an office building or hotel)	√		√* ³
Service uses	√		√* ³
Accessory/incidental retail with permitted industrial	√		√* ³
Sports, health and fitness recreational uses	√	√	X
Day care centres	√	√	X
Restaurants (as a component of a larger building)	√	√* ²	√* ³
Research and training centres	√	√	X
Data processing and related activities	√		
Commercial schools	√		√* ⁴
Mixed use centre	√* ¹		X
Retail Uses	√* ¹		X
Entertainment uses	√* ¹	√	X
Institutional uses including government services	√* ¹		X
Private schools	√* ¹		X
Night Clubs	√* ¹		X
Banquet halls	√* ¹	√	X
Automobile service stations	√* ¹		X
Car washes	√* ¹		X
Free-standing restaurants	√* ¹		X
Funeral homes	√* ¹		X
Places of Worship	√* ¹		X
Auto-body paint and repair	X		√* ³
Auto-body repair	X		√* ³
Commercial self storage warehouses	X		X
Retail and industrial uses involving outside storage	X		√* ³

√ = Permitted √*^X = Permitted Subject to Conditions/Restrictions X = Prohibited

- *¹ Subject to Site Specific Development Proposal and Rezoning
- *² Restaurant does not have to be located in separate building
- *³ Permitted subject to certain space limits or locational requirements
- *⁴ Trade schools are a permitted use





Gatzios Planning + Development Consultants Inc.

January 17, 2013

File No: 65MA-0751

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Mr. Jim Baird
Commissioner of Development Services

Regarding: **COMMENTS ON MARKHAM'S NEW OFFICIAL PLAN
SEPTEMBER 2012 DRAFT OF PART 1
ON BEHALF OF TRIBUTE (UNIONVILLE) LTD.
20 FRED VARLEY DRIVE, UNIONVILLE**

Dear Mr. Baird:

We write as planning consultants on behalf of Tribute (Unionville) Ltd. regarding 20 Fred Varley Drive in Unionville. As you know, the property was the subject of a recent Ontario Municipal Board ("OMB") hearing regarding a Zoning By-Law Amendment application, however the decision has not yet been issued by the OMB.

Tribute's comments to the September 2012 draft of PART 1 of the new Official Plan as it applies to the subject property are as follows.

Current Official Plan designations

The land use designation currently applying to the subject property is '**Neighbourhood Commercial**' as per the Unionville Core Secondary Plan. This designation permits a range of commercial uses and also residential uses. There are no specific height and density caps in this designation.

The '**Special Policy Area**' designation also applies to the property given its location within the Regional (Regulatory) Floodplain of the adjacent Font Hill Creek.

Proposed new Official Plan designations

The draft new Official Plan includes the property in the 'Neighbourhood Area' on Map 1 - Markham Structure, and proposes to designate it '**Mixed Use Low Rise**' on Map 3 - Land Use (see Appendix A to this letter).

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Markham, Ontario
L3R 4B9

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The property continues to be included in a '**Special Policy Area**' as per Map 7 – Provincial and Federal Policy Areas and Map 8 – Special Policy Areas, as well as within the '**Floodplain**' as per Appendix A – TRCA Regulatory Framework.

Comments to the proposed Part 1 of the new Official Plan

1) '**Mixed Use Low Rise**' designation

We are generally in support of the policies which form the new '**Mixed Use Low Rise**' designation that is proposed for this property, as found in section 8.3.2. This new designation recognizes the residential intensification opportunity of sites such as this one. It promotes the desire to have mixed use development which provides residential uses in combination with commercial uses to create mixed use, multi storey developments that function as retail and service centres serving nearby populations.

We note, however, that policy 8.3.2.4 indicates that a maximum overall density of up to 1.5 FSI is permitted for this proposed designation. As you may know, the overall density requested in Tribute's Zoning By-Law Amendment application currently awaiting an OMB decision is 1.92 FSI. Should the OMB decision be issued prior to Council adoption of this new Official Plan, we request a site-specific policy reflecting the OMB approval.

In the event that the OMB decision on Tribute's ZBLA appeal is not issued prior to Council adoption of this new Official Plan, we request a site-specific deferral of the policy in 8.3.2 regarding maximum FSI until such time as the OMB decision is issued. At that time either the OMB approval of Tribute's requested 1.92 FSI should be included, or, in the event the OMB refuses the appeal, the City's proposed 1.5 FSI for the '**Mixed Use Low Rise**' designation should be applied.

2) '**Special Policy Area**' designation

Section 3.4 Environmental Hazards contains policies in subsection 3.4.1 Natural Environmental Hazards which address Special Policy Areas. We note that several policies are proposed to be modified from the currently in-effect Official Plan, including:

- policy 3.4.1.10 regarding ingress and egress and level of flood protection;
- policy 3.4.1.11 regarding technical studies to demonstrate no adverse impacts and no increase in risk to life or property as a result of flooding;
- policy 3.4.1.12 regarding flood protection measures and flood protection to a level not less than the 1:350 year storm event only permitted where the regulatory flood standard is not technically feasible.

We note that several changes to the policy wording regarding Special Policy Areas have removed the 'practicality' aspect that the previous policies contained, which

may inadvertently have a very limiting effect on development and redevelopment potential within the SPA. Further, we note that several of the proposed changes to the SPA policies appear to be inconsistent with TRCA policy and with the intent of the SPA, as set out in the Provincial Policy Statement.

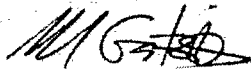
We ask that staff advise as to the rationale and policy basis for the revised wording.

Conclusion

We trust the above comments will be reviewed and considered as input to the draft new Part 1 of the City's new Official Plan. Kindly advise if a meeting with staff is required to review these matters, and we would be pleased to attend at the City's offices at staff's earliest convenience.

Sincerely,

Gatzios Planning + Development Consultants Inc.



Maria Gatzios, MCIP RPP

Enclosure.

Copy to: Ms. Kitty Bavington, Clerk's Department
Mr. Steve Deveaux, Tribute (Unionville) Ltd.
Ms. Nancy Mather, Stonybrook Consulting Inc.
Mr. Michael Melling & Ms. Meaghan McDermid, Davies Howe Partners LLP

MARKHAM
 OFFICIAL PLAN

MAP 3 - LAND USE

- SEPTEMBER 2012
- Greenway
 - Countywide
 - Heritage
 - Transportation and Utility
 - Parkway Belt West
 - Private Open Space
 - Residential Estate
 - Residential Low Rise
 - Residential Mid Rise
 - Residential High Rise
 - Mixed Use Low Rise
 - Mixed Use Mid Rise
 - Mixed Use High Rise
 - Mixed Use Office Priority
 - Mixed Use Health Care Campus
 - Mixed Use Heritage Main Street
 - Commercial
 - Business Park
 - Business Park Office Priority
 - Service Employment
 - General Employment
 - Recreation Area
 - Future Urban Area
 - Future Neighbourhood Area
 - Future Employment Area
 - See Section 6.5 1.5



Appendix A - Subject Lands

Tribute (Unionville) Limited Subject Lands
 City of Markham

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Gatzios Planning + Development Consultants Inc.

January 22, 2013

File No: 65MA-0714

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Mr. Jim Baird
Commissioner of Development Services

**Regarding: COMMENTS ON MARKHAM'S NEW OFFICIAL PLAN
SEPTEMBER 2012 DRAFT OF PART 1
ON BEHALF OF DOUGSON INVESTMENTS INC.
VILLAGE NISSAN, 25 SOUTH UNIONVILLE AVENUE**

Dear Mr. Baird:

We write as planning consultants on behalf of Dougson Investments Inc. ('Dougson'), owners and operators of the Village Nissan car dealership at 25 South Unionville Avenue in the City of Markham (see Appendix A – Subject Lands).

Village Nissan Car Dealership site

The Village Nissan car dealership is 1.13 ha (2.8 acres) in size and currently operating as an automobile sales establishment with accessory outdoor storage, vehicle display and vehicle servicing. Village Nissan opened in this location in 2010.

Our comments to the September 2012 draft of PART 1 of the new Official Plan as it applies to the subject property are as follows.

Current Official Plan designation

The land use designation applying to these lands on Schedule A – Land Use in the current in-effect Official Plan is '**Commercial**'. Schedule H – Commercial/Industrial Categories shows that these lands are designated '**Community Amenity Area**'. In addition, Schedule AA – Detailed Land Use per the South Unionville Secondary Plan shows the lands as '**Community Amenity Area**'.

The above designations were introduced through site specific Official Plan Amendment No. 176 (OPA 176) which was approved in September 2008. The purpose of OPA 176 was to amend the designation on the property to allow for the lands to be used for an

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Markham, Ontario
L3R 4B9

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automobile sales establishment involving accessory outdoor storage and/or display of vehicles, subject to a series of design guidelines.

Proposed new Official Plan designations

The draft new Markham Official Plan shows these lands as '**Local Corridor**' and '**Mixed Use Neighbourhood Area**' on Map 1 – Markham Structure and on Map 2 – Centres and Corridors and Transit Network. Map 3 – Land Use shows the lands as '**Mixed Use Mid Rise**' and '**Intensification Area**'.

Comments to the proposed Part 1 of the new Official Plan

Dougson would like to ensure that the permissions contained in the '**Mixed Use Mid Rise**' designation reflect the permissions secured through OPA 176. This includes the primary use of the automobile sales establishment and also the accessory outdoor storage, vehicle display and vehicle servicing.

Specific comments to some of the proposed policies in the draft Part 1 of the Official Plan are as follows.

Chapter 8 – Land Use

8.3.3 – Mixed Use Mid Rise:

- 8.3.3.2 d) states that a 'motor vehicle sales facility wholly contained in a building' is permitted. There is no mention of accessory outdoor storage, or vehicle display, both of which are explicitly identified in OPA 176.

Chapter 10 – Interpretation

10.2 – Definitions:

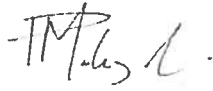
- Motor Vehicle Sales Facility is not a defined term in the new Official Plan, thereby creating some ambiguity regarding the uses associated with such a facility including a vehicle servicing component.

In conclusion, Dougson wants to ensure that the permissions for this property obtained through OPA 176 including the automobile sales establishment with accessory outdoor storage, vehicle display and vehicle servicing are reflected in the new Official Plan.

We trust the above submission will be considered by staff and Council. Kindly advise if a meeting with staff is required to review these matters, we would be pleased to attend at staff's earliest convenience.

Sincerely,

Gatzios Planning + Development Consultants Inc.

A handwritten signature in black ink, appearing to read "Peter Maleganovski". The signature is stylized and includes a flourish at the end.

Peter Maleganovski, MCIP RPP

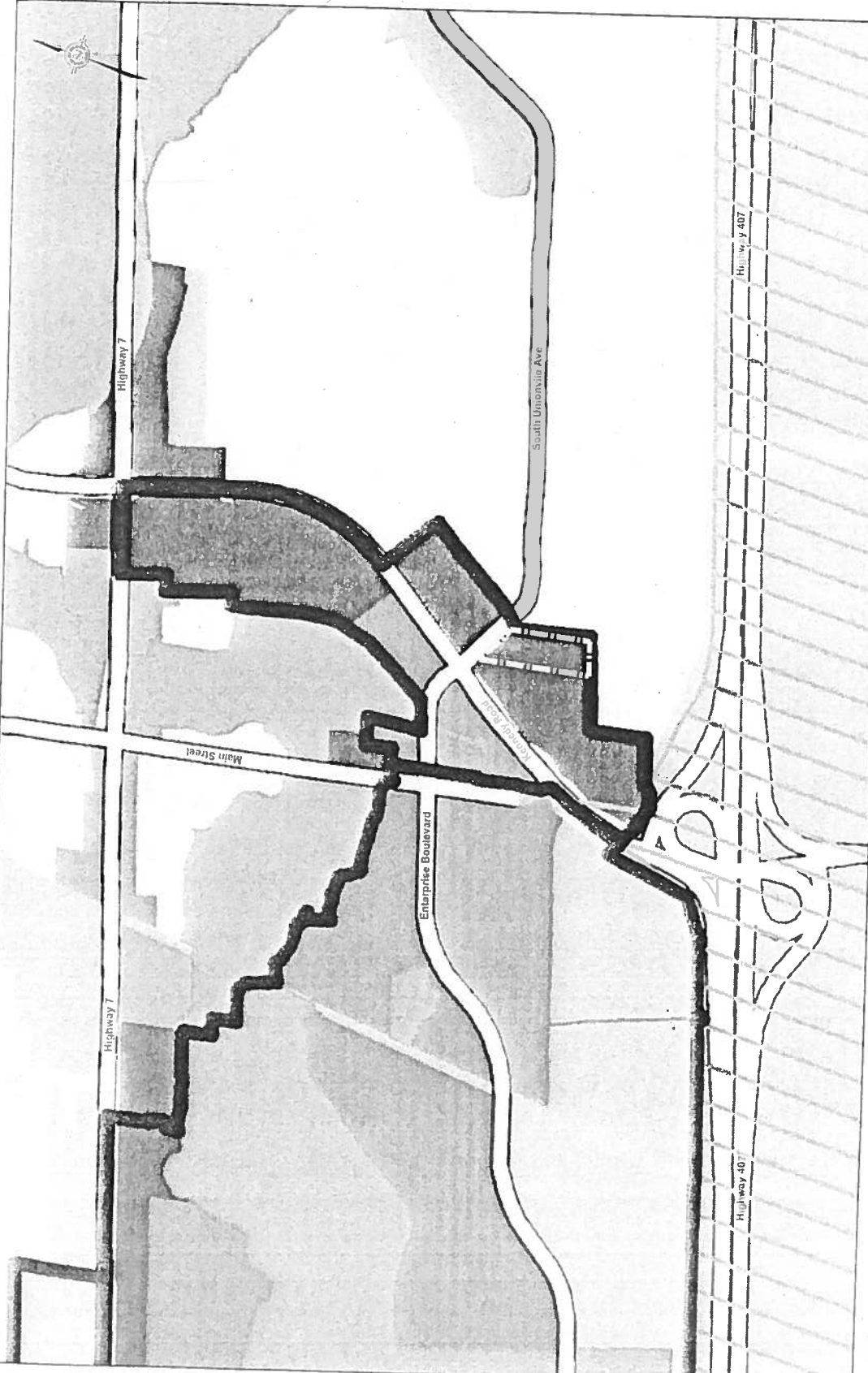
Enclosures.

Copy to: S. Campbell, Dougson Investments Inc.

MARKHAM
OFFICIAL PLAN

MAP 3 - LAND USE

- SEPTEMBER 2012
- Greenway
 - Countyside
 - Hamlets
 - Transportation and Utility
 - Pathway Built-Up
 - Private Open Space
 - Residential Estate
 - Residential Low Rise
 - Residential Mid Rise
 - Residential High Rise
 - Mixed Use Low Rise
 - Mixed Use Mid Rise
 - Mixed Use High Rise
 - Mixed Use Office Priority
 - Mixed Use Health Care Campus
 - Mixed Use Heritage Main Street
 - Commercial
 - Business Park
 - Business Park Office Priority
 - Service Employment
 - General Employment
 - Industrial Area
 - Future Urban Area
 - Future Neighbourhood Area
 - Future Employment Area
 - Site Section 8.5.1.5



Appendix A - Subject Lands

Village Nissan
 City of Markham

Subject Lands

From: Sandra Wiles
Sent: February-12-13 12:16 PM
To: Wouters, Margaret; Kanji, Teema; Bavington, Kitty
Cc: Ikhlaq Memon; Ruby Sangha; Ali Memon; Ishaq Memon; Mohsin Masood
Subject: New Draft Official Plan 65M-4333 65M-4334 Digram Developments Inc.
Attachments: 65M-4334.PDF; 65M-4333.PDF

Please accept the following comments regarding the New Draft Official Plan as it pertains to plan of subdivision 19TM-09004, registered as 65M-4333 and 65M-4334

For Block 36

On Map 3-Land Use a Greenway designation is shown on a portion of the Block
On Appendix A-TRCA Framework a portion of the lands are subject to OR 166/06

Comments

Block 36 has been registered. The entire block is zoned CA3

A site plan application has been approved for a freehold condominium townhouse development comprising 53 units.

There is no vegetation on the subject lands.

The Greenway designation should be removed from Map 3.

The TRCA has already approved the registered subdivision and the site plan application.

Further applications for a draft plan of condominium and building permits should not be affected by these designations in the New Official Plan.

On behalf of the owner Digram Developments Inc. we request amendments to the New Draft Official Plan to reflect the above.

Block 25 Plan 65M-4333 Block 38 65M-4334

Comments

Block 25 is a valleyland block dedicated to the City of Markham through registration of the plan of subdivision

Block 38 is a park block dedicated to the City of Markham through registration of the plan of subdivision

These blocks are designated in the New Official Plan as follows:

Map 1 and 3-Greenway system

Map 4-Greenway system, Rouge Watershed Protection Area, Greenbelt Plan

Map 5-Greenway system, Woodlands, Permanent and Intermittent Streams

Map 6-Greenway system, Valleylands and Watercourse Corridors

Map 7-Greenbelt Plan Area, Greenbelt Natural Heritage System, Greenbelt Protected Countryside

Appendix A -Floodplain, OR 166/06

The limit of development was established through the review and approval of the draft plan of subdivision and registration of the plan which establishes the boundary between developable lands and lands which comprise valleyland and a park.

The lands dedicated to the City of Markham as valleyland and park were never previously part of the Greenbelt Plan and were never subject to any of the policies of that plan. They were subject to the policies of the Greensborough Secondary Plan and the plan of subdivision was approved in accordance with the Secondary Plan policies.

The developable lands are zoned R2 and CA3.

Building permits for street townhouse units will be issued shortly for the developable blocks on the subdivision plan. Additional site plan application(s) will be submitted for condominium townhouse block(s) located adjacent to the above designations. Draft plan of condominium applications will follow thereafter.

The New Draft Official Plan is introducing new Minimum Vegetative Buffer Zones and requirements for various studies to determine the appropriate setbacks for lands adjacent to the Greenway system.

The New Official Plan had added the valleyland block (Block 25) and the park block (Block 38) into the Greenbelt Plan area (they were previously within the boundary of the Greensborough Secondary Plan area).
On behalf of the owner Digram Developments Inc. we request exceptions in the New Draft Official Plan from the policies that would be applicable to the lands recently registered under 65M-4333 and 65M-4334.
More specifically we request that the boundary of the developable parcels of land which have been registered be recognized as the limit of development, ie there will be no additional setback requirements or buffer requirements, or the need for additional studies for lands which are identified as being within the Greenway system and adjacent to the Greenbelt Plan area.

Please notify me of any further Public Meetings regarding the New Official Plan.

Please provide me with notification of the adoption of the New Official Plan.

Thank you.
Sandra Wiles
KLM Planning Partners Inc.

PLAN 65M-4334

DATE OF SUBMISSION: 15-11-15
DATE OF APPROVAL: 15-11-15
DRAWN BY: [Signature]
CHECKED BY: [Signature]
PROJECT NO.: 65M-4334

PLAN OF SUBMISSION OF
PART OF LOT 20, CONCESSION 8
(GEOGRAPHIC TOWNSHIP OF MARKHAM)
CITY OF MARKHAM
THE REGIONAL MUNICIPALITY OF YORK

NOTES

1. THE SUBMISSION IS SUBJECT TO THE ZONING BY-LAW AND THE DEVELOPMENT OF MARKHAM.
2. THE SUBMISSION IS SUBJECT TO THE SUBDIVISION ACT AND THE SUBDIVISION REGULATIONS.
3. THE SUBMISSION IS SUBJECT TO THE CONVEYANCE ACT AND THE CONVEYANCE REGULATIONS.
4. THE SUBMISSION IS SUBJECT TO THE LAND SURVEY ACT AND THE LAND SURVEY REGULATIONS.
5. THE SUBMISSION IS SUBJECT TO THE MUNICIPALITY OF YORK ACT AND THE MUNICIPALITY OF YORK REGULATIONS.

BEARINGS AND CO-ORDINATE VALUES

LINE NO.	BEARING	CO-ORDINATE VALUES
1	N 0° 0' 0" E	100.000
2	S 90° 0' 0" E	100.000
3	S 0° 0' 0" E	100.000
4	N 90° 0' 0" E	100.000

OWNER'S CERTIFICATE

I, the undersigned, being the owner of the land described in this plan, do hereby certify that the same is as shown on this plan and that the same is in accordance with the provisions of the Subdivision Act and the Subdivision Regulations.

DIGRAM DEVELOPMENTS INC.

DIRECTOR'S CERTIFICATE

I, the undersigned, being the Director of the City of Markham, do hereby certify that the plan is in accordance with the provisions of the Subdivision Act and the Subdivision Regulations.

APPROVAL

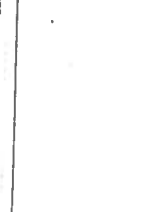
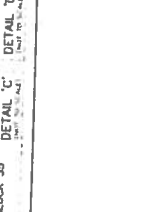
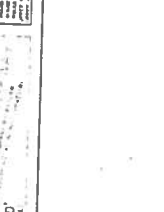
HOLDING JONES VANDERVEEN INC.
ONTARIO LAND SURVEYORS

DATE: 15-11-15



Block	Area (sq. m)	Area (sq. ft.)
Block 16	10,000	107,639
Block 17	10,000	107,639
Block 18	10,000	107,639
Block 19	10,000	107,639
Block 20	10,000	107,639
Block 21	10,000	107,639
Block 22	10,000	107,639
Block 23	10,000	107,639
Block 24	10,000	107,639
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Block 33	10,000	107,639
Block 34	10,000	107,639
Block 35	10,000	107,639
Block 36	10,000	107,639
Block 37	10,000	107,639
Block 38	10,000	107,639
Block 39	10,000	107,639
Block 40	10,000	107,639
Block 41	10,000	107,639

Block	Area (sq. m)	Area (sq. ft.)
Block 35	10,000	107,639
Block 36	10,000	107,639
Block 37	10,000	107,639
Block 38	10,000	107,639
Block 39	10,000	107,639
Block 40	10,000	107,639
Block 41	10,000	107,639



Block 36
Block 37
Block 38
Block 39
Block 40
Block 41

PLAN 05M- 4223

DATE: 10/15/11
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SCALE: AS SHOWN
PROJECT NO: 103331

Part of Subdivision of
Part of Lot 20, Concession B
Township of Markham
CITY OF MARKHAM
The Regional Municipality of York

Block	Area (sq. ft.)	Area (sq. m.)
Block 1	10,000	929
Block 2	10,000	929
Block 3	10,000	929
Block 4	10,000	929
Block 5	10,000	929
Block 6	10,000	929
Block 7	10,000	929
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Block 96	10,000	929
Block 97	10,000	929
Block 98	10,000	929
Block 99	10,000	929
Block 100	10,000	929

OWNER'S CERTIFICATE

THESE ARE THE ORIGINALS OF THE PLANS AND SPECIFICATIONS FOR THE SUBDIVISION OF THE PART OF LOT 20, CONCESSION B, TOWNSHIP OF MARKHAM, CITY OF MARKHAM, THE REGIONAL MUNICIPALITY OF YORK, AS SHOWN ON THESE PLANS.

DATE: 10/15/11

BY: [Signature]

ENGINEER'S CERTIFICATE

I, THE ENGINEER, HAVE EXAMINED THE PLANS AND SPECIFICATIONS FOR THE SUBDIVISION OF THE PART OF LOT 20, CONCESSION B, TOWNSHIP OF MARKHAM, CITY OF MARKHAM, THE REGIONAL MUNICIPALITY OF YORK, AS SHOWN ON THESE PLANS, AND I AM SATISFIED THAT THEY COMPLY WITH THE REQUIREMENTS OF THE SUBDIVISION ACT AND THE ZONING BY-LAW.

DATE: 10/15/11

BY: [Signature]

APPROVED FOR THE REGIONAL MUNICIPALITY OF YORK

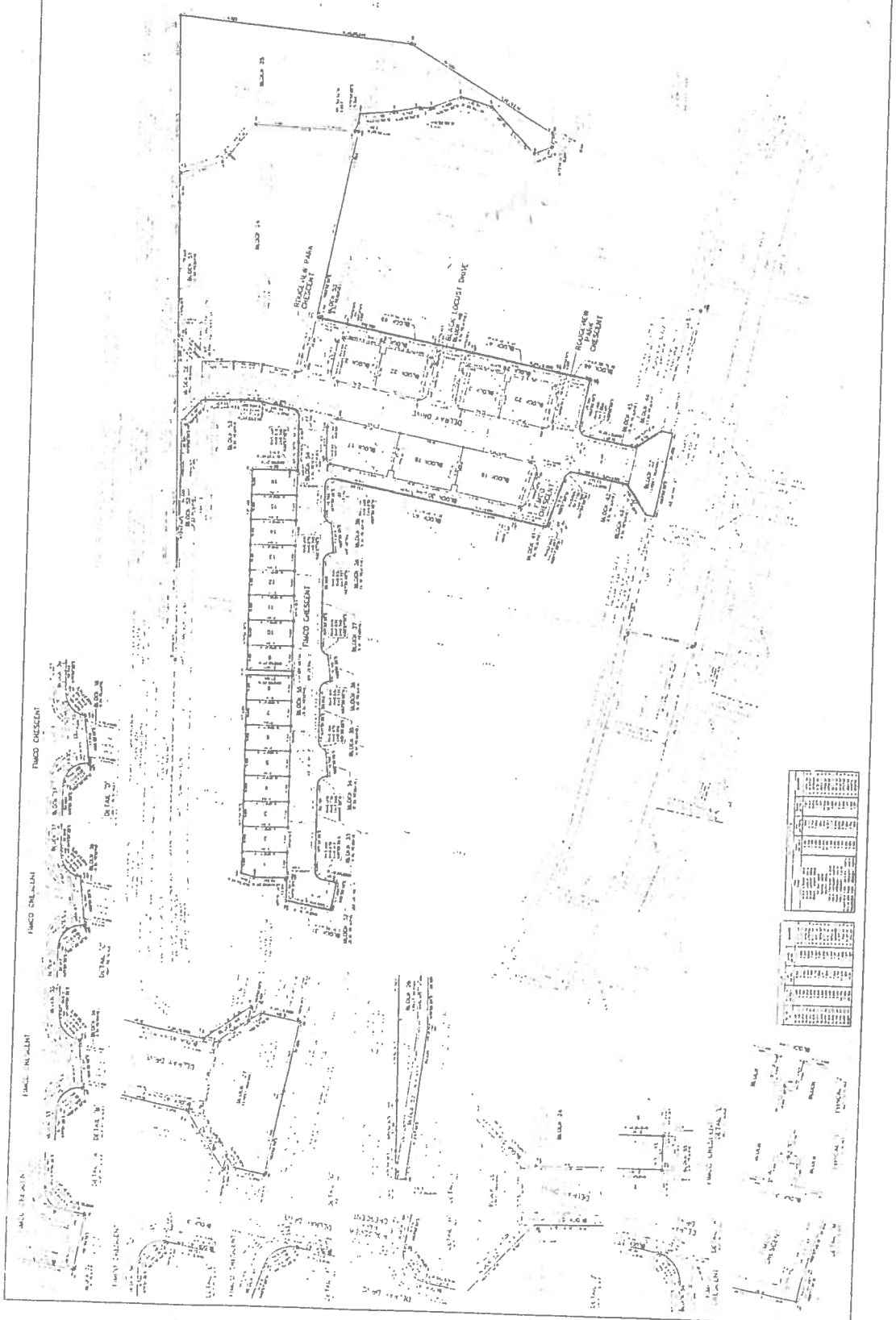
DATE: 10/15/11

BY: [Signature]

APPROVED FOR THE CITY OF MARKHAM

DATE: 10/15/11

BY: [Signature]



Block	Area (sq. ft.)	Area (sq. m.)
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Block 2	10,000	929
Block 3	10,000	929
Block 4	10,000	929
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Block 98	10,000	929
Block 99	10,000	929
Block 100	10,000	929



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

P-2273

January 22, 2013

Corporation of the City of Markham
Atten: Ms. Marg Wouters
Senior Manager, Policy & Research
Development Services Commission
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Dear Ms. Wouters:

Re: Draft Official Plan City of Markham
September 2012
Digram Developments Inc.
Part of Lot 20, Concession 8
File Nos. SU. 12 113735
ZA. 12 113735

We represent Digram Developments Inc. owner of a parcel of land which has recently been purchased on the south side of Major Mackenzie Drive and east of the Donald Cousens Parkway. Digram Developments has submitted applications to the City of Markham for a draft plan of subdivision and zoning by-law amendment. They intend to develop the lands with a freehold condominium townhouse development in accordance with the current approved land use designations of the Official Plan and Secondary Plan.

The subject lands are currently zoned NC1 with a Hold in By-law 177-96. They were rezoned in 2010 at the request of the previous landowner. The intent was to develop the subject lands with a commercial development together with the adjoining parcel of land to the west which was to be developed as a gas station.

Digram Developments recently registered plans of subdivision to the east of the subject lands and recently received site plan control approval for a freehold condominium townhouse development on one of the blocks within the subdivision located on the south side of Major MacKenzie Drive. Two additional freehold condominium townhouse blocks are intended to be developed along the Donald Cousens Parkway.

The current applications submitted to the City comply with the current approved land use designations of the City's Official Plan and Secondary Plan.

78

I believe the land use designation shown on the Draft Official Plan September 2012 has been provided to reflect the recent NCI(H) zoning that was placed on the land in 2010.

On behalf of Digram Developments we request that an "Urban Residential" designation be shown on the Land Use Map 3 figure for the subject lands. This is the same designation placed on lands to the east owned by Digram.

To assist you I have enclosed a copy of the draft plan of subdivision submitted to the city, a copy of a preliminary site plan for the subject lands and a copy of the site plan in context with the development on lands to the east also owned by Digram.

Should you have any questions or require additional information please let me know.

Sincerely,

KLM PLANNING PARTNERS INC.

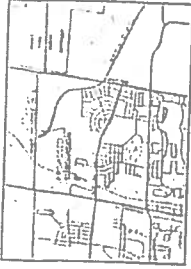


Sandra Wiles, MCIP, RPP
Senior Planner

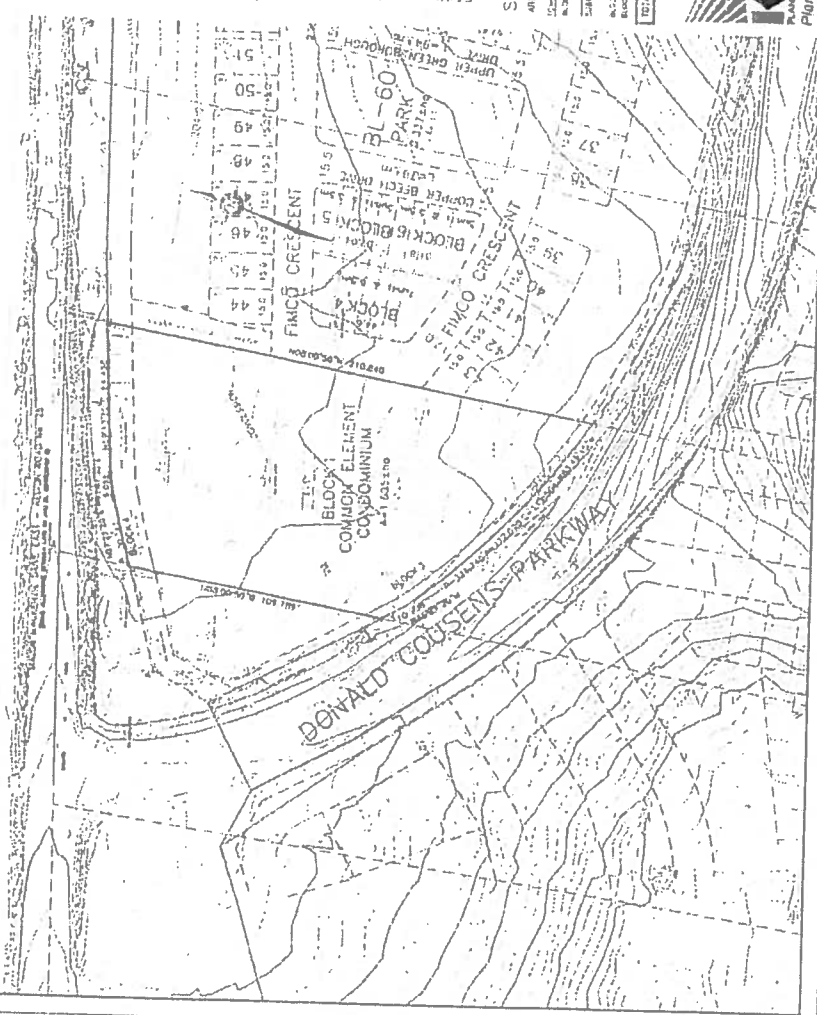
c. Ikhtaq Memon, Digram Developments Inc.

DRAFT PLAN OF SUBDIVISION
 PART OF LOT 20, CONCESSION 8
 TOWN OF MARKHAM
 REGIONAL MUNICIPALITY OF YORK
 SCALE 1:750

DRAFT PLAN T-



KEY PLAN



SECTION 51, PLANNING ACT,
 ADDITIONAL INFORMATION

1. To show the location of the subdivision within the larger context of the surrounding area.
2. To show the location of the subdivision within the larger context of the surrounding area.
3. To show the location of the subdivision within the larger context of the surrounding area.
4. To show the location of the subdivision within the larger context of the surrounding area.
5. To show the location of the subdivision within the larger context of the surrounding area.
6. To show the location of the subdivision within the larger context of the surrounding area.
7. To show the location of the subdivision within the larger context of the surrounding area.
8. To show the location of the subdivision within the larger context of the surrounding area.
9. To show the location of the subdivision within the larger context of the surrounding area.
10. To show the location of the subdivision within the larger context of the surrounding area.

SURVEYOR'S CERTIFICATE

I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the plan as shown to me by the owner of the land, and that the same is in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P-22, Section 51.

SIGNED AND DELIVERED IN THE PRESENCE OF ME:

OWNER'S CERTIFICATE

I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the plan as shown to me by the owner of the land, and that the same is in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P-22, Section 51.

SIGNED AND DELIVERED IN THE PRESENCE OF ME:

DATE: 17/04/2012
 BY: [Signature]
 FOR: [Signature]

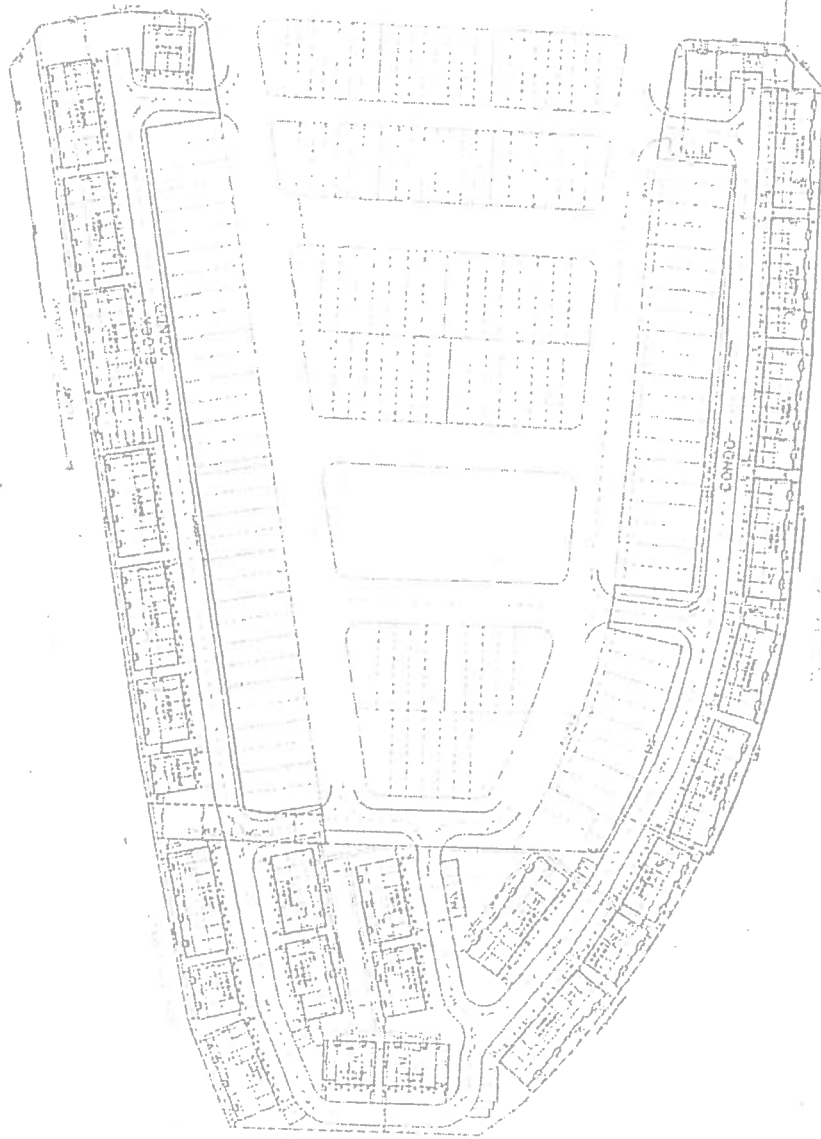
SCHEDULE OF LAND USE

AREA OF LAND TO BE SUBDIVIDED - 18.85 HECTARES (441,000 SQ. FT.)

CLASSIFICATION	AREA (HECTARES)	AREA (SQ. FT.)	PERCENTAGE
RESIDENTIAL	1.00	22,656,880	1.20
COMMERCIAL	1.00	22,656,880	1.20
INDUSTRIAL	1.00	22,656,880	1.20
TOTAL	3.00	67,970,640	3.60

PROJECT No P-2273
 SCALE 1:750
 APR. 17 2012
KLM
 DWG No. - 12.1
 Planning • Design • Development

MARK PROJECT, UNIT 101



MARK PROJECT, UNIT 101



MARK PROJECT, UNIT 101

Teema Kanji - Planning
36

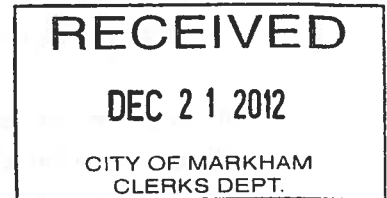


NEW UNIONVILLE
HOME SOCIETY

4300 HIGHWAY 7, UNIONVILLE, ON L3R 1L8
T.905.477.2822 • WWW.UHS.ON.CA

December 18, 2012

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3



Attention: Ms. Kitty Bavington
Clerk's Department

Regarding: COMMENTS REGARDING THE NEW OFFICIAL PLAN
SEPTEMBER 2012 DRAFT VERSION
UNIONVILLE HOME SOCIETY CAMPUS
4300 HIGHWAY #7, UNIONVILLE

Dear Ms. Bavington:

The Unionville Home Society is a non-denominational charitable organization operating in a campus environment dedicated to providing a continuum of quality care and services including housing and long-term care for older adults. The organization promotes wellness, independence, quality of life and self-determination of the individual within a caring community.

The Unionville Home Society aspires to be a recognized leader and community partner in providing an innovative continuum of exemplary care and services that are accessible to older adults, and respond to the community's changing requirements and expectations.

The Unionville Home Society (UHS) Campus is approximately 7.3 ha (18 acres) in total and currently contains the following components:

- a) Union Villa – A long-term care facility building containing 160 beds located immediately north of Highway 7 (indicated in YELLOW on the attached Key Map)
- b) Heritage Village – Independent living in the form of 92 clustered rental bungalows located in the north end of the Campus (indicated in BLUE on the Key Map)

- c) Wyndham Gardens – Life-lease apartment complex of 122 units within a building located on the eastern portion of the Campus (indicated in GREEN on the Key Map).
- d) Future Development Parcel – vacant, except for a portion of the building from the old original facility, which will be demolished. This section of the Campus represents an opportunity to add to the continuum of care on site with future development (indicated in PINK on the Key Map).

As you are aware, UHS is currently considering options for development of the 'Future Development Parcel' portion of our site as well as reviewing our operations across our entire site with a view to redevelopment potential.

It is important to UHS to ensure that the policies in Markham's new Official Plan provide us with continued opportunities for growth in order to strengthen our position and services in the community, and we are writing to provide our comments to the September 2012 draft Official Plan Part I for your consideration.

Current Official Plan (1987, 2005 Consolidation) in effect

The southern two-thirds of our property is currently designated 'Institutional', while the northern third, corresponding approximately to the current location of the Heritage Village bungalows, is currently designated 'Urban Residential'. Our site is not currently contained in any Secondary Plan.

Proposed Draft Official Plan (September 2012, PART I)

1. Highway 7 along the UHS Campus frontage is shown as 'Regional Transit Priority' on MAP 1 – MARKHAM STRUCTURE, which also illustrates our property as '*Neighbourhood Area*'. We note that the proposed '*Avenue 7 – Village Parkway Local Corridor*' is located just west of our site. The lands opposite our site on the south side of Highway 7 are proposed as '*Mixed Use Neighbourhood Area*', and the lands east of our property, east of the rail tracks are proposed '*Mixed Use Low Rise*'.
2. MAP 3 – LAND USE proposes to designate the majority of our property as '*Residential Mid Rise*', except for the existing Anna Russell Parkette, a small open space area located west of Eureka Street, which is proposed for a '*Residential Low Rise*' designation. To the west of our site there is proposed an '*Intensification Area*'.

We are pleased that Section 8.2.4 '*Residential Mid Rise*' policies provide that, in addition to a full and complete range of shared housing uses, residential uses are also permitted in this proposed designation. Further, we are supportive of the range of building types proposed for this designation, including townhouses, multiplex buildings and apartment buildings. This range of uses and building types provides UHS with flexibility in planning for growth and expansion on the Campus.

We note that subsection 8.2.4.4 provides for a building height of 3 to 6 storeys and a density range of 1.5 to 2.0 FSI for the proposed designation, except that lands also included within an '*intensification Area*' may have building heights up to 8 storeys and a density generally in the range of 1.5 to 2.5 FSI, subject to certain criteria. This draft version of the new Official Plan does not currently include our site in the '*Intensification Area*' proposed west of our site.

3. We are generally supportive with the policy direction for Shared Housing as outlined in Section 4.1 Housing, specifically subsection 4.1.3 "Affordable and Shared Housing", as well as Section 8 Land Use, subsection 8.13.9 "Shared Housing". We have some questions about the interpretation of specific policies in these sections, especially in light of our consideration of future growth on our campus, and we request a meeting with staff to discuss these policies and their application to our site.

History of Planning Context prior to the September 2012 draft new Official Plan

We understand that the Secondary Plan (PD1-15, OPA #15) which has historically applied west of our site provides for the highest buildings and highest density for lands along Highway 7, with a maximum building height of 6 storeys and a maximum density of 87 units per hectare, increasing to a maximum density of 124 units per hectare at the Village Parkway intersection.

We also understand that various landowners along the north side of Highway 7 in this area west of our site are pursuing applications to permit maximum building height of 8 storeys or perhaps greater.

We believe that our site provides an excellent opportunity for intensification and additional residential and shared housing uses, similar to the heights and densities of other sites along this segment of Highway 7, and we are requesting similar consideration for comparable development opportunities. We point out that we have excellent connectivity to Highway 7 given the existing traffic signal that leads into our site and the existing transit stop located at our front door.

Summary of Submission

In summary, UHS would like to ensure that the new Markham Official Plan contains policies which permit appropriate additional development and/or redevelopment of the UHS campus.

We are requesting consideration for inclusion within the '*Intensification Area*' in order to recognize our Campus' development and redevelopment opportunities. We believe that our site is a prime candidate for inclusion in the '*Intensification Area*' and request Council and staff's consideration of this modification. We would like to discuss this request, as well as some of the specific Shared Housing policies with staff at your earliest possible convenience.

Any questions or concerns about this submission may be directed to myself or to the Chair of the UHS Planning and Development Committee, Mr. Paul Bailey at 416-495-0375 (paulbailey@bazil.ca).

Thank you,



Deborah Cooper Burger
President and CEO
Unionville Home Society

copy to: Councillor Don Hamilton
Mr. Jim Baird, Commissioner of Development Services



OFFICIAL PLAN

MAP 1 - MARKHAM STRUCTURE

SEPTEMBER 2012

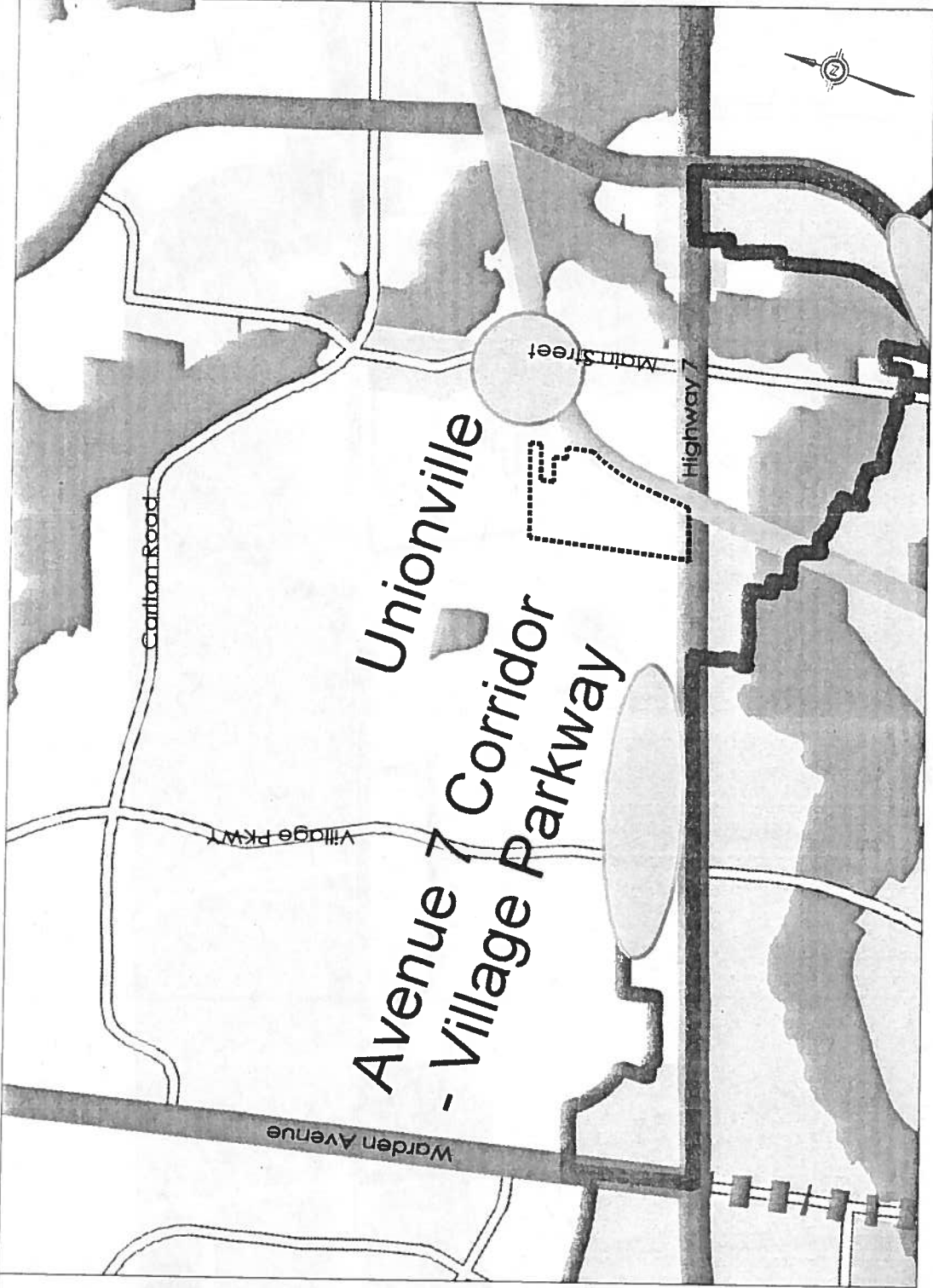
- Greenway System
- Countryside Area
- Hamlets
- Transportation and Utility Area
- Neighbourhood Area
- Mixed Use Neighbourhood Area
- Employment Area (including Commercial Lands)
- Future Urban Area
- Intensification Area

- Centres and Corridors
- Regional Centre
- Regional Corridor / Key Development Area
- Local Centre
- Local Corridor
- Heritage Centre

- Transit Network
- GO Rail Service
- GO Stations

- Proposed GO Stations
- Potential Commuter Rail Line
- Regional Rapid Transit Corridor
- Special Study Area Rapid Transit Corridor
- Regional Transit Priority
- Proposed Regional Transit Priority
- Proposed Yonge Subway
- Highway 407 Transitway
- Highway 404 Expressway Bus Service

- Anchor Hubs: Markham Centre, Langstaff Gateway
- Gateway Hubs (Yonge/Steeles, Don Mills/Steeles, Leslie/Avenue 7)
- Potential Secondary Hubs (Thornhill Centre, Hillview Centre, Markville, Mount Joy, Bor Grove, Eastree East/Parkview Centre)



UHS Campus
 City of Markham Draft Official Plan: Map 1 - Markham Structure
 September, 2012



Subject Lands

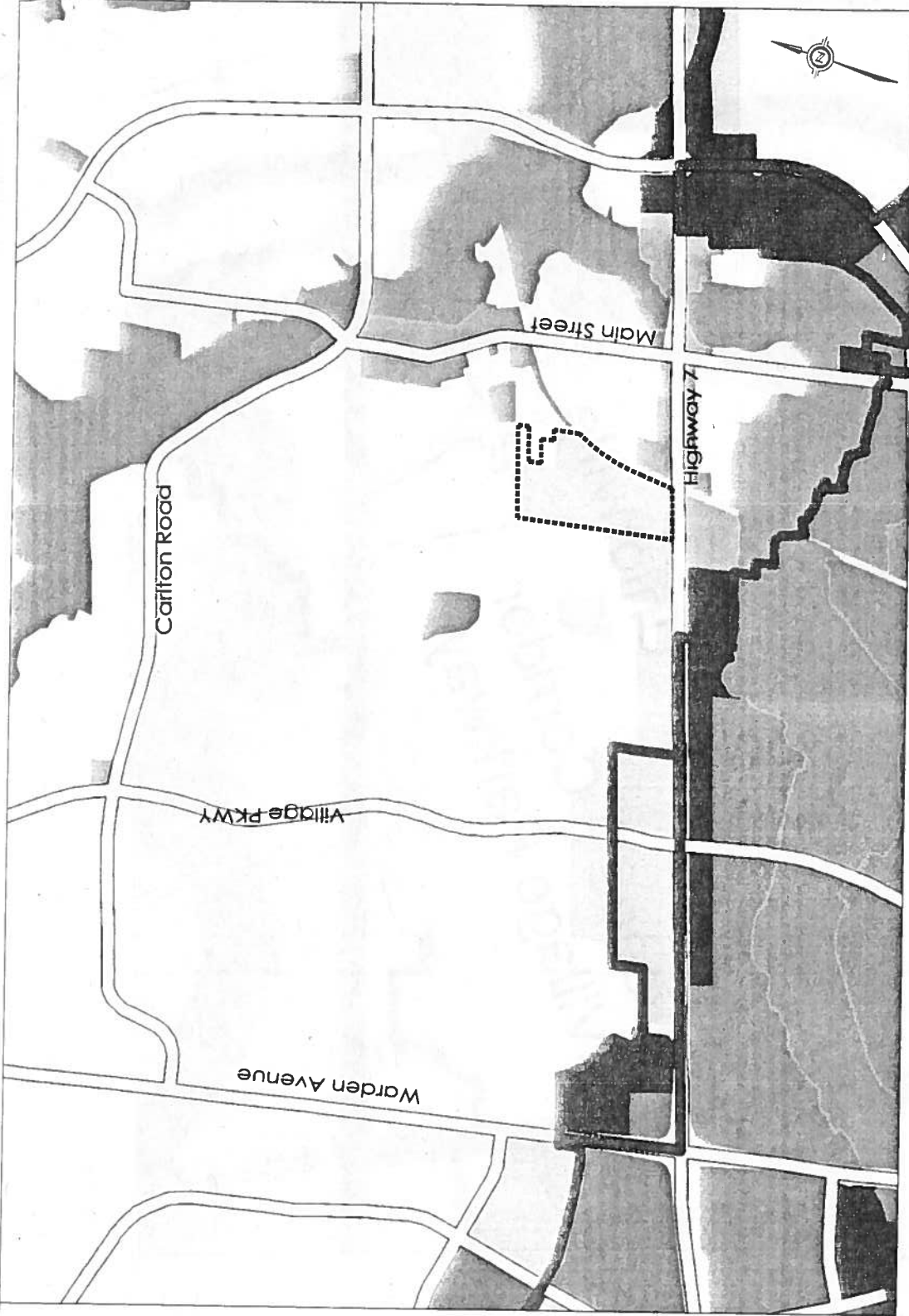


OFFICIAL PLAN

MAP 3 - LAND USE

SEPTEMBER 2012

- Greenway
- Countryside
- Hamlets
- Transportation and Utility
- Parkway Belt West
- Private Open Space
- Residential Estiate
- Residential Low Rise
- Residential Mid Rise
- Residential High Rise
- Mixed Use Low Rise
- Mixed Use Mid Rise
- Mixed Use High Rise
- Mixed Use Office Priority
- Mixed Use Health Care Campus
- Mixed Use Heritage Main Street
- Commercial
- Business Park
- Business Park Office Priority
- Service Employment
- General Employment
- Intensification Area
- Future Urban Area
- Future Neighbourhood Area
- Future Employment Area
- * See Section 8.5.1.5



UHS Campus
 City of Markham Draft Official Plan: Map 3 - Land Use
 September, 2012



Subject Lands

Galzies Planning +
 Development Consultants Inc.



OFFICIAL PLAN

MAP 2 - CENTRES AND CORRIDORS AND TRANSIT NETWORK

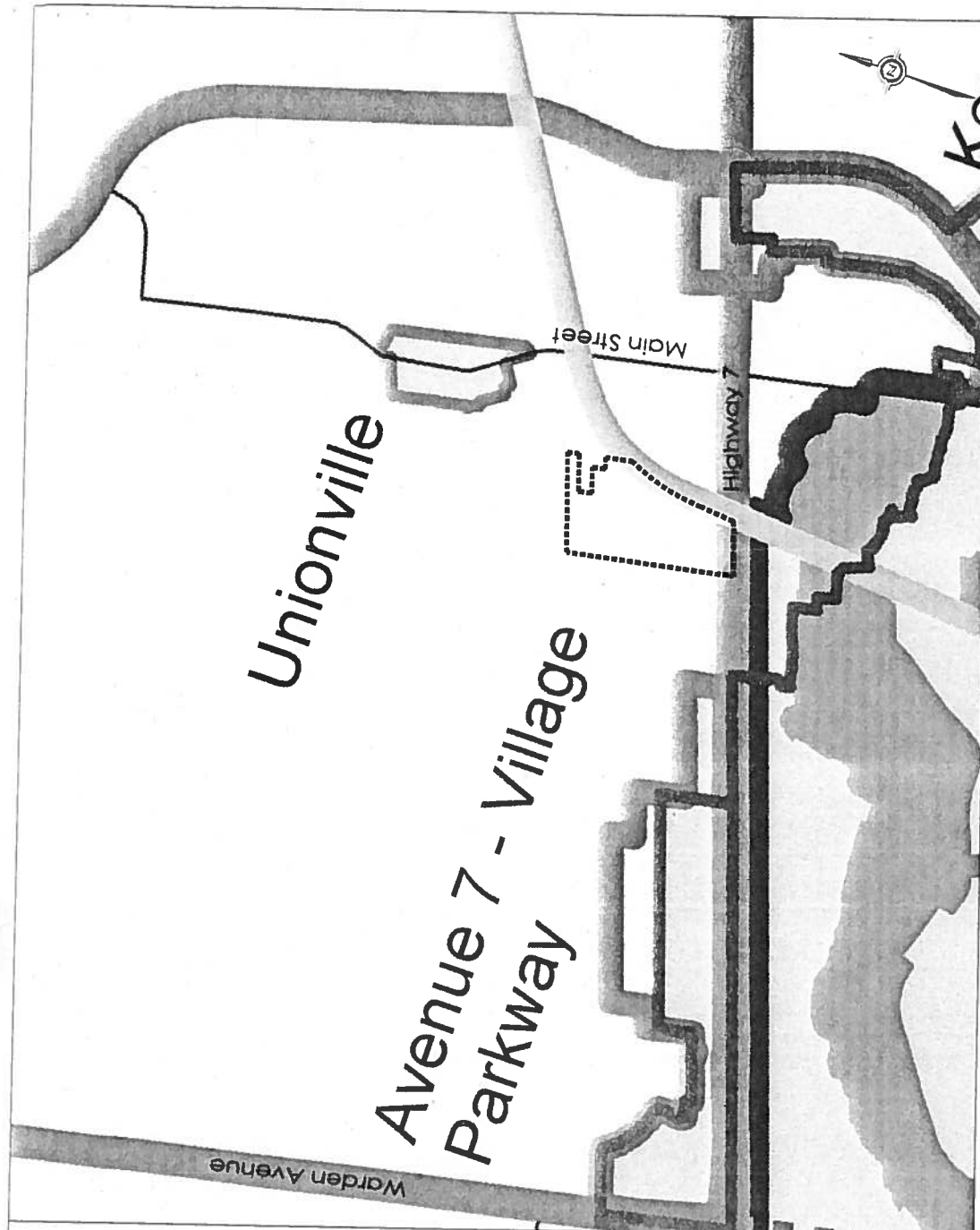
- Greenway System
- Transportation and Utility Area
- Neighbourhood Area
- Mixed Use Neighbourhood Area
- Employment Area (excluding Commercial Lands)
- Institutional Areas
- Centres and Corridors**
- Regional Centre
- Regional Corridor - Key Development Area
- Local Centre
- Local Corridor
- Heritage Centre
- Transit Network**
- GO Rail Service
- GO Stations
- Proposed GO Stations
- Potential Commuter Rail Line
- Regional Rapid Transit Corridor
- Special Study Area Rapid Transit Corridor
- Regional Transit Priority
- Proposed Regional Transit Priority
- Proposed Yonge Subway
- Highway 407 Transitway
- Highway 404 Expressway Bus Service
- Anchor Hubs (Markham Centre, Langstaff Gateway)
- Gateway Hubs (Yonge/Steeles, Don Mills/Steeles, Leslie/Avenue 7)
- Potential Secondary Hubs (Thornhill Centre, Midland Centre, Markham, Mount Joy, Box Grove, Fairlee East/Parkview Centre)

SEPTEMBER 2012

UHS Campus
City of Markham Draft Official Plan: Map 2 - Centres and Corridors and Transit Network
September, 2012



Subject Lands



From: Sandra Wiles
Sent: February-13-13 9:25 PM
To: Wouters, Margaret; Kanji, Teema; Bavington, Kitty
Subject: Fw: Draft Official Plan-September 2012 and Clera Holdings Ltd.

The request for an exception as outlined in the e-mail below (dated October 18, 2012) should be included in Chapter 11-Area and Site Specific Policies and should be included in any updated Secondary Plan or new Secondary Plan for the Cathedral community.

Sandra Wiles

KLM Planning Partners Inc.

----- Forwarded Message -----

From: Sandra Wiles
To: Official Plan Mailbox <officialplan@markham.ca>; "tkanji@markham.ca" <tkanji@markham.ca>
Sent: Thursday, October 18, 2012 2:14:29 PM
Subject: Draft Official Plan-September 2012 and Clera Holdings Ltd.

I represent the landowner at the southwest corner of the Woodbine Avenue By-Pass and Elgin Mills in the Cathedral Secondary Plan. Clera Holdings Ltd.

The lands were subject to an OMB decision with respect to the size and location of a natural wildlife corridor to be provided south of Elgin Mills between the lands owned by Clera Holdings Ltd. and N30 Investments.

I am sending this e-mail to request that both the Official Plan and Secondary Plan recognize the decision of the OMB with respect to the size and location of the natural wildlife corridor for the lands south of Elgin Mills between the lands owned by Clera Holdings Ltd. and N30 Investments.

Prior to draft approval of the plan of subdivision in which Clera Holdings was a part of (19T-95075) N30 Investments objected to the plan of subdivision. N30's objection pertained to the location and size of the natural wildlife corridor that was to be constructed on their lands and a portion of lands owned by Clera Holdings in accordance with the policies of the Cathedral Secondary Plan.

A settlement was reached involving Clera Holdings, N30, West Cathedral Management (Trustee for the Community), it also involved the TRCA and the then Town of Markham.

The size and location of the natural wildlife corridor was determined. Decisions were made to determine when the natural wildlife corridor and Markland Street would be built. It was also determined which landowner would be responsible for the work.

With respect to the policies and designations included in the Draft Official Plan-September 2012 the designation(s), setbacks and required studies for the natural wildlife corridor exceed the requirements made in the decision made by the OMB.

Also the Draft Official Plan indicates that Part 2 of the Plan will deal with the Secondary Plans. This Section of the Plan has not yet been released. The approved Secondary Plan for the Cathedral Community is recognized in the Draft Official Plan-September 2012. Section 9.1.1.5 of the Draft Official Plan-September 2012 indicates that the policies/designations of the Official Plan and Secondary plan shall be consistent, and if they are not consistent then the policies of the Secondary Plan will prevail.

The policies of the current approved Secondary Plan for the Cathedral Community which is recognized in the Draft Official Plan-September 2012 also exceed the requirements made in the decision made by the OMB.

It is for the reasons noted above that I am asking for revisions to the Draft Official Plan and to the Secondary Plan for the Cathedral Community (which Secondary Plan is to be included in the Official Plan as Part 2) for a portion of lands located south of Elgin Mills west of the Woodbine Avenue By-Pass owned by Clera Holdings Ltd. and N30 Investments.

I have a copy of the written Decision of the OMB and the Minutes of Settlement with respect to this case (OMB Case No. PL.060690). I think it would be appropriate to meet with City staff to discuss the implementation of OMB decision into the Draft Official Plan and Secondary Plan for the Cathedral Community and ask that a meeting be arranged.

RE APPENDIX B - SMALL STREAMS AND DRAINAGE FEATURES

Further I question the accuracy of the location of a 'small stream' as shown in Appendix B to the Draft Official Plan-September 2012 as it relates to the lands owned by Clera Holdings Ltd. I ask that this matter be reviewed as well.

Regards,
Sandra Wiles

Gatzios Planning + Development Consultants Inc.

File No: 65MA-0815

January 21, 2013

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Mr. Jim Baird
Commissioner of Development Services

**Regarding: COMMENTS ON MARKHAM'S NEW OFFICIAL PLAN
SEPTEMBER 2012 DRAFT OF PART 1
ON BEHALF OF BAYVIEW SUMMIT DEVELOPMENTS LIMITED
'SHOPS ON STEELES' DEVELOPMENT
NE CORNER OF DON MILLS ROAD AND STEELES AVENUE EAST**

Dear Mr. Baird:

We write as planning consultants on behalf of Bayview Summit Developments Limited, the owners of the 'Shops On Steeles' property municipally known as 2900 Steeles Avenue East, in the City of Markham.

The Shops On Steeles property is 7.2 hectares (18 acres) in size, located between Don Mills Road and Highway 404, on the north side of Steeles Avenue East. Appendix A to this letter illustrates the property location on the draft new Official Plan Map 3 – Land Use.

The Shops On Steeles Property

The Shops On Steeles property is the subject of site-specific Official Plan Amendment and Zoning By-Law Amendment approvals issued by the Ontario Municipal Board (the 'OMB') on August 16, 2011. A copy of that OMB decision is enclosed as Attachment B to this letter, which includes the OMB approved site-specific OPA and ZBLA for this property.

Current Official Plan designation

The Shops On Steeles property is located in the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District (PD No. 3).

According to the OPA approved by the OMB in August 2011, the land use designation applying to this property is '**Major Commercial Area**', with a series of site-specific policies. A summary of the currently in-effect Official Plan policies is as follows:

- a) permitted land uses: a broad range of retail, commercial, service commercial, office, community uses, institutional and high density residential;
- b) maximum total overall site FSI: 1.85;
- c) maximum overall site residential FSI: 1.5;
- d) maximum number of residential units: 1,235 units;
- e) maximum number of storeys: see Figure 6.3.2;
- f) various urban design principles as found in subsection iv) of the OPA;
- g) various transportation requirements as found in subsection v) of the OPA;
- h) a Section 37 Agreement requirement as found in subsection vi) of the OPA;
- i) various Hold Provisions as found in subsection vii) of the OPA.

The currently in-effect Official Plan provides for the planned function of the property to serve as "*....a vibrant, sustainable, transit-supportive, mixed use residential and commercial centre which will provide a balanced range of retail, service commercial and high density residential uses.*".

Proposed new Official Plan designations

The September 2012 draft of PART 1 of the City's new Official Plan changes the land use designation on the property, and proposes the following:

Map 1 – Markham Structure:

- a) 'Mixed Use Neighbourhood Area'
- b) 'German Mills Centre' Local Centre
- c) 'Gateway Hub'
- d) Don Mills Road and Steeles Avenue East both shown as 'Regional Rapid Transit Corridor', Highway 404 shown as 'Highway 404 Expressway Bus Service'

Map 2 – Centres and Corridors and Transit Network:

- a) 'Mixed Use Neighbourhood Area'
- b) 'German Mills Centre' Local Centre
- c) 'Gateway Hub'

- d) Don Mills Road and Steeles Avenue East both shown as 'Regional Rapid Transit Corridor', Highway 404 shown as 'Highway 404 Expressway Bus Service'

Map 3 – Land Use:

- a) west half of the property is 'Mixed Use Mid Rise':
- policy 8.3.3.4: minimum height of 3 and maximum height of 12 storeys
 - policy 8.3.3.4: density generally in the range of 1.5 to 2.5 FSI, however if in an 'Intensification Area' the range is 1.5 to 3.0 FSI, subject to design criteria
 - policy 8.3.3.5: maximum GFA of any individual retail establishment is 6,000 sq.m.
- b) east half of property is 'Mixed Use High Rise':
- policy 8.3.4.4: minimum height of 3 and maximum height of 25 storeys
 - policy 8.3.4.4: density generally in the range of 2.5 to 3.0 FSI, however if in an 'Intensification Area' the range is 2.5 to 3.5 FSI, subject to design criteria
 - policy 8.3.4.5: maximum GFA of any individual retail establishment is 6,000 sq.m.
- c) the property is NOT located in the 'Intensification Area' outline

Comments to the proposed new Official Plan Part 1

First, we are unsure if the City intends to bring for the current Thornhill Secondary Plan or a modified version of it into Part 2 of the proposed new Official Plan. The City's intent in this regard may result in additional or different comments from us.

Second, the proposed new land use designations of '**Mixed Use Mid Rise**' and '**Mixed Use High Rise**' on each half of the Shops On Steeles property do not reflect the site-specific land use permissions and designation that arose from an extensive consultation process on the site-specific OPA and ZBLA culminating in the August 2011 OMB decision. It is our request that the site-specific permissions and land use framework across the entire property that are currently in-effect be carried forward.

Third, we believe that the Shops On Steeles property should be indicated as an '**Intensification Area**' on Map 3. This is reinforced by the fact that it is shown on Maps 1 and 2 as a Gateway Hub, a Local Centre and a Mixed Use Neighbourhood Area, which are all reflective of the recently approved OPA which serves to allow an intensified redevelopment of the existing plaza. Further, the City's own Growth Management Strategy work leading up to the 2012 draft Official Plan included the property as an Intensification Area. We enclose a copy of the City's 'RECOMMENDED GROWTH ALTERNATIVE TO 2031' maps which illustrate the subject property as 'Major Corridor' Potential Residential Intensification Area.

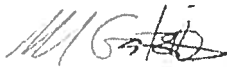
Finally, we believe that the detailed conceptual site plan that was developed and agreed to by the City as the basis for the site-specific zoning by-law amendment approval by the OMB should be recognized by allowing for the pending site plan application on the property to be transitioned from new land use, urban design and other policies in this new Official Plan, should it not be submitted prior to approval of this new Official Plan.

We may be making additional submissions to the City on various other aspects of the proposed new Official Plan once we know if it is the City's intention to carry forward the site-specific OPA for this property and/or the Thornhill Secondary Plan into the new Official Plan.

We trust the above submission will be considered by staff and Council. Kindly advise if a meeting with staff is required to review these matters, we would be pleased to attend at staff's earliest convenience.

Sincerely,

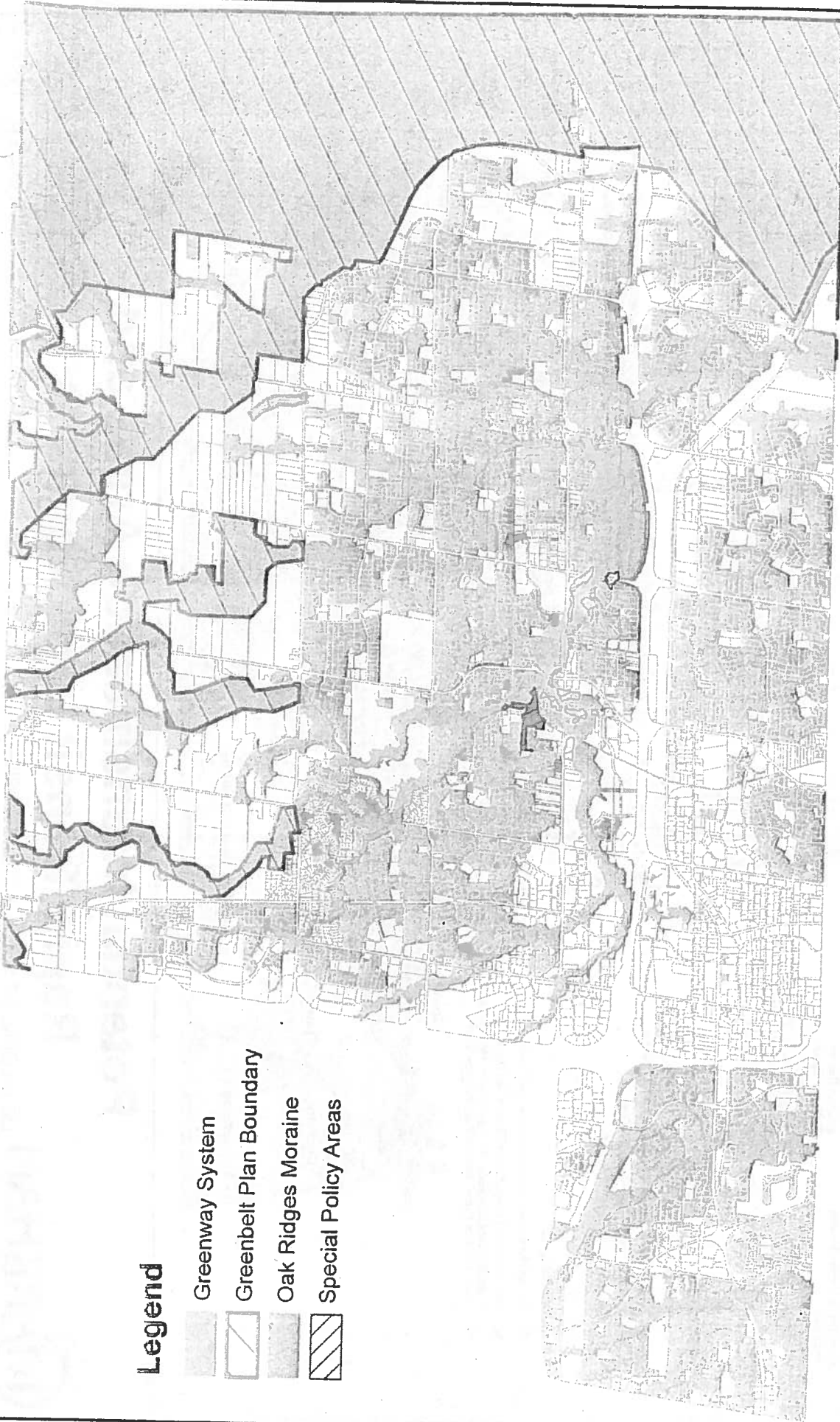
Gatzios Planning + Development Consultants Inc.







Maria Gatzios, MCIP RPP

Enclosures.

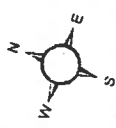
Copy to: Ms. K. Bavington, City of Markham Clerk's Department
Bayview Summit Developments Limited
Mr. J. Alati, Davies Howe Partners LLP



Legend

-  Greenway System
-  Greenbelt Plan Boundary
-  Oak Ridges Moraine
-  Special Policy Areas

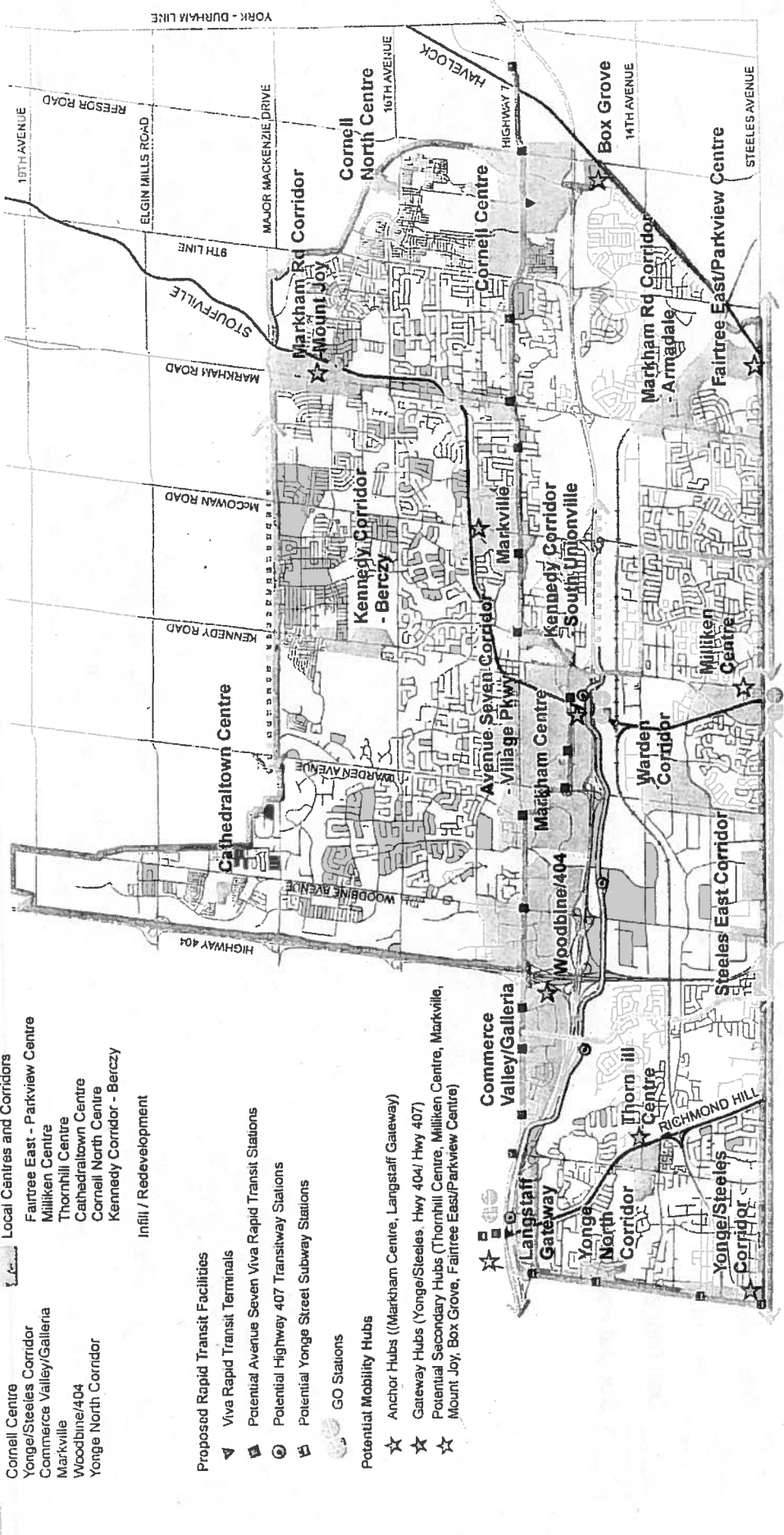
Proposed Town Greenway System



DEVELOPMENT SERVICES COMMISSION

FIGURE No.1

- Potential Residential Intensification Areas**
- Settlement Area Boundary
 - Regional Centre
 - Markham Centre
 - Langstaff Gateway
 - Key Development Area
 - Cornell Centre
 - Yonge/Steeles Corridor
 - Commerce Valley/Galleria
 - Markville
 - Woodbine/404
 - Yonge North Corridor
 - Local Centres and Corridors
 - Fairtree East - Parkview Centre
 - Milliken Centre
 - Thornhill Centre
 - Cathedraltown Centre
 - Cornell North Centre
 - Kennedy Corridor - Berczy
 - Infill / Redevelopment
- Proposed Rapid Transit Facilities**
- Viva Rapid Transit Terminals
 - Potential Avenue Seven Viva Rapid Transit Stations
 - Potential Highway 407 Transitway Stations
 - Potential Yonge Street Subway Stations
 - GO Stations
- Potential Mobility Hubs**
- Anchor Hubs (Markham Centre, Langstaff Gateway)
 - Gateway Hubs (Yonge/Steeles Hwy 404/ Hwy 407)
 - Potential Secondary Hubs (Thornhill Centre, Milliken Centre, Markville, Mount Joy, Box Grove, Fairtree East/Parkview Centre)
- Metrolinx draft RTP - Rapid Transit Projects**
- Richmond Hill Line: Richmond Hill GO to Union Station (2-way all day by 2023)(Express Rail 2633)
 - Southville Line: Mt. Joy GO to Union Station (2-way all day by 2023)
 - Havelock Line: Locust Hill to Union Station (peak service by 2023)
 - Yonge Subway: Finch to Langstaff / Richmond Hill Gateway (by 2016)
 - Viva Hwy 7: Peel Boundary to Locust Hill (BRT by 2023)
 - Don Mills: Bloor/Danforth Subway to Hwy 7 (LRT by 2023)
 - Highway 407 Transitway: Vaughan Corp Centre to Markham, Collis (BRT by 2032)
 - Steeles: York University to Milliken GO (BRT by 2033)
 - Steeles: Milliken GO to Downtown Danawa (BRT by 2033)
 - Markham-Pickering: Markham Centre to Downtown Pickering via 401 (BRT by 2033)
 - Extension of Highway 407 Transitway (BRT 2033+)
 - Major Mackenzie Drive (BRT 2333+)

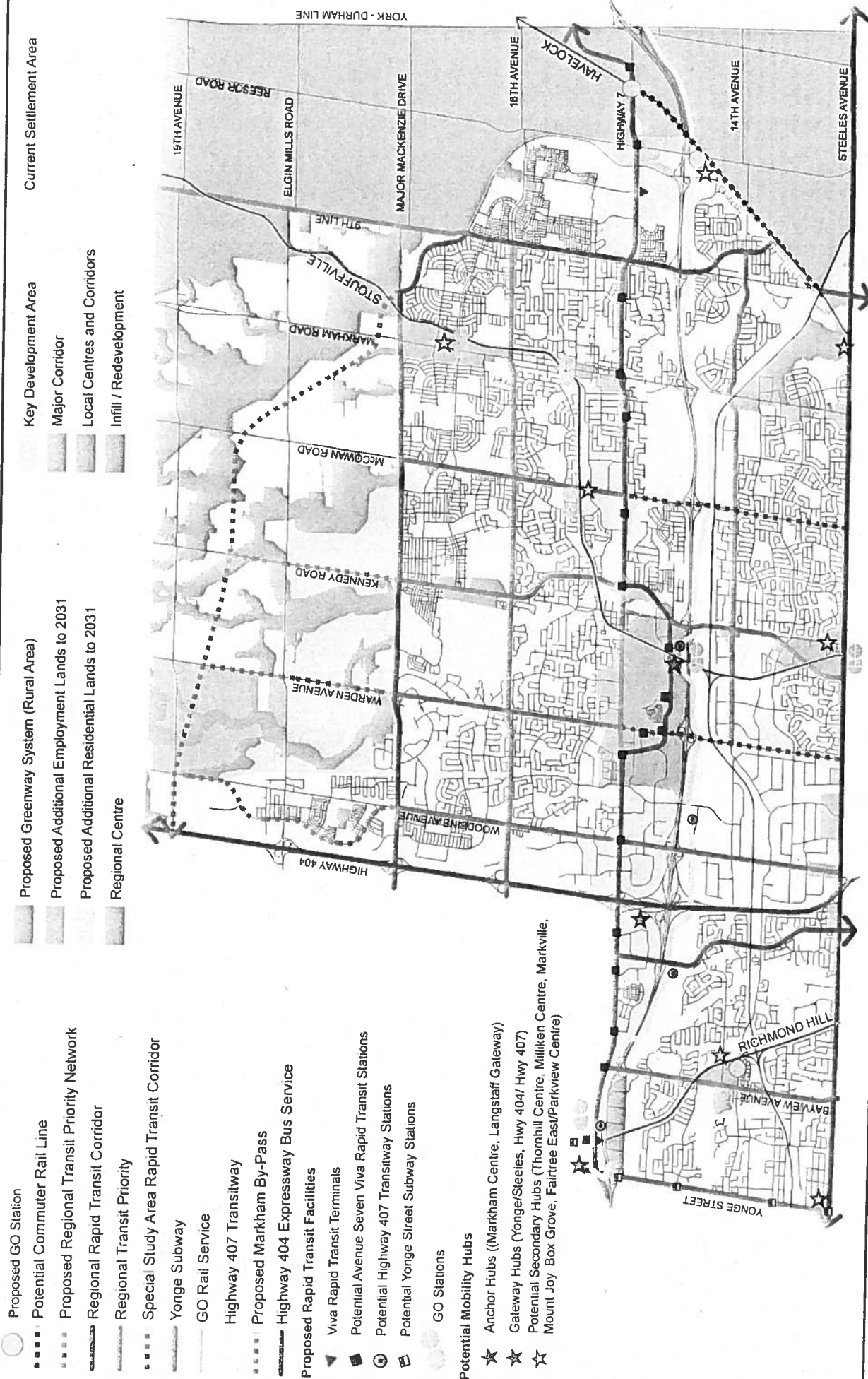


Potential Intensification Areas and Rapid Transit Improvements

DEVELOPMENT SERVICES COMMISSION



FIGURE NO. 2



Recommended Growth Alternative to 2031



DEVELOPMENT SERVICES COMMISSION

FIGURE NO. 3

MAP 3 - LAND USE

- SUPPLEMENT 2012
- Greenway
 - Countryside
 - Humilis
 - Transportation and Utility
 - Pathway Belt West
 - Private Open Space
 - Residential Estate
 - Residential Low Rise
 - Residential Mid Rise
 - Residential High Rise
 - Mixed Use Low Rise
 - Mixed Use Mid Rise
 - Mixed Use High Rise
 - Mixed Use Office Priority*
 - Mixed Use Health Care Campus
 - Mixed Use Heritage Main Street
 - Commercial
 - Business Park
 - Business Park Office Priority
 - Service Employment
 - General Employment
 - Industrial Area
 - Future Urban Area
 - Future Neighbourhood Area
 - Future Employment Area
 - See Section 8.5.1.5



Appendix A - Subject Lands

Shops on Steeles  Subject Lands
 City of Markham

ISSUE DATE:

August 16, 2011



PL100538

Ontario
Ontario Municipal Board
Commission des affaires municipales de l'Ontario

Bayview Summit Developments Limited has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the Town of Markham by specifically expanding the list of permitted uses in the "Major Commercial Area" designation in the Thornhill Secondary Plan in order to permit the redevelopment of the existing Shops on Steeles retail mall on the subject lands located at 2900 Steeles Avenue East into a mixed-use community consisting of 5 residential point towers ranging between 18 storeys and 32 storeys above mid-rise podiums of up to 10 storeys containing 1,787 residential units, as well as office uses, open spaces, community uses, the renovation of the existing 2-storey Sears Canada Outlet to include a new relocated food store and other retail uses in a "lifestyle" retail concept
Town of Markham File No. OP 07 130802

O.M.B. Case No. PL100538

O.M.B. File No. PL100538

Bayview Summit Developments Limited has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law No. 2612, as amended, of the Town of Markham, by specifically seeking permission to allow residential uses and to incorporate site specific development standards to the "Community Commercial" zone for the purpose of permitting the redevelopment of the subject lands located at 2900 Steeles Avenue East into a mixed-use community consisting of 5 residential point towers ranging between 18 storeys and 32 storeys above mid-rise podiums of up to 10 storeys containing 1,787 residential units, as well as office uses, open spaces, community uses, the renovation of the existing 2-storey Sears Canada Outlet to include a new relocated food store and other retail uses in a "lifestyle" retail concept.

Town of Markham File No. ZA 08 110745

O.M.B. Case No. PL100538

O.M.B. File No. PL100539

BEFORE:

J. CHEE-HING
MEMBER

)
)
)

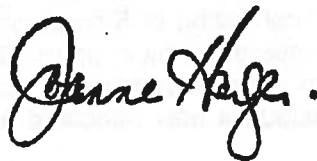
Monday, the 15th day of

August, 2011

THIS MATTER having come on for public hearing and the Ontario Municipal Board (the "Board"), in accordance with its Decision issued on June 20, 2011, having withheld its Order until this day to await receipt of written notification from the solicitor for the Town of Markham indicating that the Section 37 Agreement, attached as Schedule "E" to the Minutes of Settlement, has been executed by Bayview Summit Developments Limited and receipt of the modified Official Plan and Zoning By-law amendments in accordance with the Board's said Decision;

THE BOARD ORDERS that the appeal with respect to the Official Plan Amendment is allowed, and the Official Plan for the Town of Markham is amended as set out in Attachment "1" to this Order;

AND THE BOARD ORDERS that the appeal with respect to the Zoning By-law Amendment is allowed, and By-law No. 2612, as amended, of the Town of Markham is hereby amended in the manner set out in Attachment "2" to this Order. The Board authorizes the municipal clerk to assign a number to this by-law for record keeping purposes.

A handwritten signature in black ink, appearing to read "Janne Hege", followed by a period. The signature is written in a cursive, flowing style.

SECRETARY

ATTACHMENT '1'

OFFICIAL PLAN

of the

TOWN OF MARKHAM PLANNING AREA

AMENDMENT NO. XXX

To amend the Official Plan (Revised 1987), as amended, and
to incorporate Amendment No. 16 to the Thornhill Secondary Plan Secondary Plan (PD 3-1)
for the Thornhill Planning District (Planning District No. 3).

(SHOPS ON STEELES)

(March 2011)

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OFFICIAL PLAN AMENDMENT NO. XXX

1999-01-13

WHEREAS, the Board of Commissioners of the County of ...

AND WHEREAS, the Board of Commissioners of the County of ...

IT IS HEREBY ORDERED that the Board of Commissioners of the County of ...

1999-01-13

THE BOARD OF COMMISSIONERS OF THE COUNTY OF ...

PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. XXX)

PART I - INTRODUCTION

1.0 GENERAL

- 1.1** PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.

- 1.2** PART II - THE OFFICIAL PLAN AMENDMENT constitutes Official Plan Amendment No. *XXX* to the Official Plan (Revised 1987), as amended and is required to enact Amendment No.16 to the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District (Planning District No. 3). Part II is an operative part of this Official Plan Amendment.

- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, attached thereto, constitutes Amendment No 16 to the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District (Planning District No. 3). This Secondary Plan Amendment may be identified by the symbol PD 3-1-16. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the Thornhill Secondary Plan (PD 3-1) applies to the Shops on Steeles property at 2900 Steeles Avenue East, located on the northeast corner of Don Mills Road and Steeles Avenue East.

3.0 PURPOSE

The purpose of this Secondary Plan Amendment is to amend certain technical provisions of the Official Plan (Revised 1987) and to expand the list of permitted uses in the 'Major Commercial Area' designation of the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District (Planning District No. 3) as it applies to the subject property, in order to permit redevelopment of the existing retail mall into a mixed-use development consisting of office, retail and high density residential uses.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

This Amendment serves to specifically add provisions for high density residential uses on the subject property in addition to the currently permitted uses in the 'Major Commercial Area' designation of the Thornhill Secondary Plan. The location of the subject property represents an appropriate location for residential intensification in the form of high density residential housing, in conjunction with the redevelopment of the property for a new, updated and enhanced retail, office and commercial centre which will continue to serve as a large and highly specialized retail shopping facility in the Thornhill Planning District.

The lands subject to this Amendment currently contain an indoor mall, a two-storey department store, a grocery store, several pad restaurant and retail stores, a gas station and a large paved surface parking area. The existing development does not take full advantage of the property's location at the intersection of a provincial highway and two Regional arterial roads that are proposed to serve as higher order transit corridors in the future. Redevelopment of the property for mixed use commercial and high density residential will provide for a form of development that will be transit-supportive, enhance the diversity of housing types and sizes in the community, and provide opportunities for affordable housing.

Intensified mixed use commercial and residential development on the subject property is consistent with the provisions of the Provincial Policy Statement, and conforms with the Growth Plan for the Greater Golden Horseshoe, the Region of York Official Plan, and Growth Alternative B endorsed by Markham Council.

The purpose of this document is to provide a detailed description of the proposed project and its impact on the community. The project is designed to improve the quality of life for the residents of the area and to create new jobs. The project will be completed in a timely manner and will be in accordance with the applicable laws and regulations. The project is expected to have a positive impact on the community and to be a valuable asset to the area.

OFFICIAL PLAN AMENDMENT NO. XXX

The project is located in the area of the city and is expected to have a positive impact on the community. The project will be completed in a timely manner and will be in accordance with the applicable laws and regulations. The project is expected to have a positive impact on the community and to be a valuable asset to the area.

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PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. XXX)

PART II – THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

- 1.1 Section 1.1.2 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number *XXX* to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2 Section 1.1.3 (c) of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number *XXX* to the list of amendments listed in the second sentence of the bullet item dealing with the Thornhill Secondary Plan PD 3-1, for the Thornhill Planning District, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3 Section 9.2.25 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number *XXX* to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.4 No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment is also being made to incorporate changes to the text of the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District (Planning District No. 3). These changes are outlined in Part III which comprises Amendment No. 16 to the Thornhill Secondary Plan (PD 3-1).

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law in conformity with the provisions of this Amendment.

PLANNING AND ZONING BOARD

OFFICE OF THE PLANNING AND ZONING BOARD

1000 WEST 10TH AVENUE, SUITE 1000, DENVER, CO 80202

TELEPHONE: (303) 733-3300 FAX: (303) 733-3301

WWW.PZB.DENVER.CO

AGENDA

MEETING

DATE

TIME

PART III - THE SECONDARY PLAN AMENDMENT (PD 3-1-16)

(This is an operative part of Official Plan Amendment No. XXX)

PART III - THE SECONDARY PLAN AMENDMENT (PD 3-1-16)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 16 to the Thornhill Secondary Plan PD 3-1)

The Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District is hereby amended as follows:

- 1.1** Figure 6.3.2 attached hereto is hereby inserted into Section 6.3 MAJOR COMMERCIAL AREA at the end of Subsection 6.3.2 and Subsection 6.3.2 is hereby deleted and replaced with the following:

“6.3.2 The MAJOR COMMERCIAL AREA designation recognizes the location of a multi-use, multi-purpose centre offering a range of retail, service, commercial, office, community, institutional and residential uses on the property on the north side of Steeles Avenue between Highway 404 and Don Mills Road. The non-residential component of the property is to serve as a destination for major shopping and service commercial needs of the Thornhill Planning District.

The planned function of the property is to serve as a vibrant, sustainable, transit-supportive, mixed use residential and commercial centre which will provide a balanced range of retail, service commercial and high density residential uses. High density residential uses shall only be permitted in conjunction with the provision of a range of commercial uses comprising a major shopping destination.

The property is subject to the following policies:

i) Land Use

1. Land use will consist of a broad range of uses including retail, commercial, service commercial, office, community uses, institutional uses and high density residential uses.

2. In addition to the permitted land uses as found in Section 3.4.6.1 Major Commercial Area, subsection c) Land Uses, clause i), of the Official Plan (Revised 1987), as amended, the following uses are permitted:
 - apartment dwellings
 - multiple dwellings
 - open space over underground parking garage structures.

ii) Maximum Density and Residential Units

1. A maximum total floor space index (FSI) of 1.85 shall be permitted on the property for all uses, of which a maximum of 1.5 FSI shall apply to residential uses.
2. A maximum of 1,235 residential units shall be permitted.

iii) Maximum Number of Storeys

The maximum number of storeys shall be as set out in Figure 6.3.2. However, subject to conformity with all other provisions of this Plan, including provisions for maximum density and residential units, minor changes to the number of storeys of commercial buildings may be permitted without an amendment to this Plan, but in no circumstances shall the heights of residential or mixed residential commercial buildings be increased.

iv) Urban Design Principles

1. A publicly accessible private street system, designed to resemble public roads, shall be developed on the property to facilitate vehicular and pedestrian circulation, generally as illustrated on Figure 6.3.2. Precise location of the streets will be determined through Site Plan Control and minor variations will not require an amendment to this plan. The Private Street System will be owned privately and may be built upon any underground parking and building structures located on the property;

2. Built form will provide an appropriate transition in scale and heights between the proposed development and the surrounding low-rise community character to the north and west and medium-rise development to the south.
3. High-rise buildings above podium height shall be predominantly in the form of small-floorplate point towers, while the base of these buildings shall be in the form of podium buildings that form continuous street walls;
4. Separation distances between high-rise towers shall be sufficient to provide for appropriate light and space between buildings;
5. Transition and design of built form shall minimize impacts on neighbouring streets and properties including shadowing and uncomfortable wind conditions.
6. The development shall provide for an enhanced pedestrian realm. The pedestrian environment and street-level animation shall be enhanced by means of the following:
 - i. Street-related retail and commercial uses in the westerly portion of the area shown on Figure 6.3.2 should be emphasized along public and private streets traversing and bordering the development;
 - ii. Weather and wind protection, such as canopies and awnings shall be provided along street frontages;
 - iii. The ground floor elevations of buildings bordering public and private streets in the westerly portion of the area shown on Figure 6.3.2 traversing and bordering the development shall be set at a level that will allow for barrier free access from the sidewalk to the building entry; and,
 - iv. A linked pedestrian walkway system shall be provided between internal and external streets that is designed to minimize walking distances to existing and anticipated transit stops;

7. Surface parking areas shall generally be minimized, although on-street parking for retail customers will be encouraged;
8. Environmental sustainability should be enhanced by the use of sustainable materials, innovative energy and material conservation strategies and stormwater conservation techniques;
9. The development should expand the range and affordability of housing types in the surrounding neighbourhood; and,
10. The development should provide for a balanced mix of commercial, residential and employment uses.
11. The review of the first phase of the commercial redevelopment will address the principle of interior, privately-owned, publicly accessible mall space for community gathering, which will provide similar opportunities to the type of community gathering space in existence within the mall at the time of approval of this Official Plan Amendment. The specific size, location and configuration of this space shall be determined through the site plan approval process, to the satisfaction of the Town of Markham.

v) Transportation Policies

- i) To support future mixed use intensification on the site, the first phase of site plan approval, in accordance with the approved master site plan, shall include the dedication of land abutting Don Mills Road at no cost to the Regional Municipality of York to achieve a 22.5 m right of way from the existing centre line of construction of Don Mills Road along the entire frontage to facilitate future light rail transit (LRT). Should the gas station at the immediate northeast corner of Don Mills Road and Steeles Avenue East also redevelop, a similar land dedication will be required at the time of site plan approval of that block.
- ii) To ensure that future development is transit supportive, prior to development the applicant shall provide, for approval of the Town and Region, at the site plan stage:

- a comprehensive Transportation Demand Management program and implementation plan;
- a demonstration of how transit buses/vehicles can be accommodated on site; and,
- a demonstration of how a full moves intersection at the north end of the property can be implemented with respect to signal phasing and functional design with a future LRT service on Don Mills Road.

vi) Section 37 Agreement

The residential density permitted will be subject to provision of a cash payment for provision of additional community facilities and services by the Town with possible adjustment for provision of community space by the owner on the lands subject to this Subsection. This requirement will be implemented through an agreement between the Owner and the Town, pursuant to Section 37 (1) of the Planning Act R.S.O.

vii) Hold Provisions

Redevelopment of the site will occur in phases subject to a master conceptual site plan process and the phased provision of municipal infrastructure to the site including water and wastewater capacity. Accordingly, holding zone provisions shall be applied to the site and lifted by the Town of Markham upon confirmation by the Town of Markham that adequate servicing and transportation capacity is available.

In addition to any other applicable provisions of Section 7.3 c) iii), a zoning by-law amendment to remove the Hold 1 (H1) and Hold 2 (H2) symbols from the zoning designations shall not be passed until the following conditions have been met to the satisfaction of the Town of Markham and York Region as applicable:

- i) Conditions for removing the Hold 1 (H1) Provision:

- Payment of a Section 37 financial contribution and/or satisfactory arrangements being in place for provision of in kind facilities, all to the satisfaction of the Commissioner of Development Services;
- The Town, in consultation with York Region, is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of dwelling units permitted;
- Submission of a municipal servicing study to the satisfaction of the Director of Engineering in consultation with York Region;
- Execution of one or more Development Agreement(s) as may be required between the Town, the Owner, and where applicable, York Region and the City of Toronto, relating to the construction, financing, and implementation of off-site servicing infrastructure improvements, if required by the Town;
- Submission of the following:
 - a transportation monitoring study of the travel characteristics associated with the uses developed on the subject lands prior to the lifting of the H1 provision, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto; and
 - an updated transportation impact study using the findings of the transportation monitoring study, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto.

ii) Conditions for removing the Hold 2 (H2) provision:

- Removal of the Hold 1 (H1) provision;
- Payment of a Section 37 financial contribution and/or satisfactory arrangements being in place for provision of in

kind facilities, all to the satisfaction of the Commissioner of Development Services;

- The Town, in consultation with York Region, is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of dwelling units permitted;
- Submission of a municipal servicing study to the satisfaction of the Director of Engineering in consultation with York Region;
- Execution of one or more Development Agreement(s) as may be required between the Town, the Owner, and where applicable, York Region and the City of Toronto, relating to the construction, financing, and implementation of off-site servicing infrastructure improvements, if required by the Town;
- Submission of the following:
 - a transportation monitoring study of the travel characteristics associated with the uses developed on the subject lands prior to the lifting of the H2 provision, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto; and
 - an updated transportation impact study using the findings of the transportation monitoring study, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto.

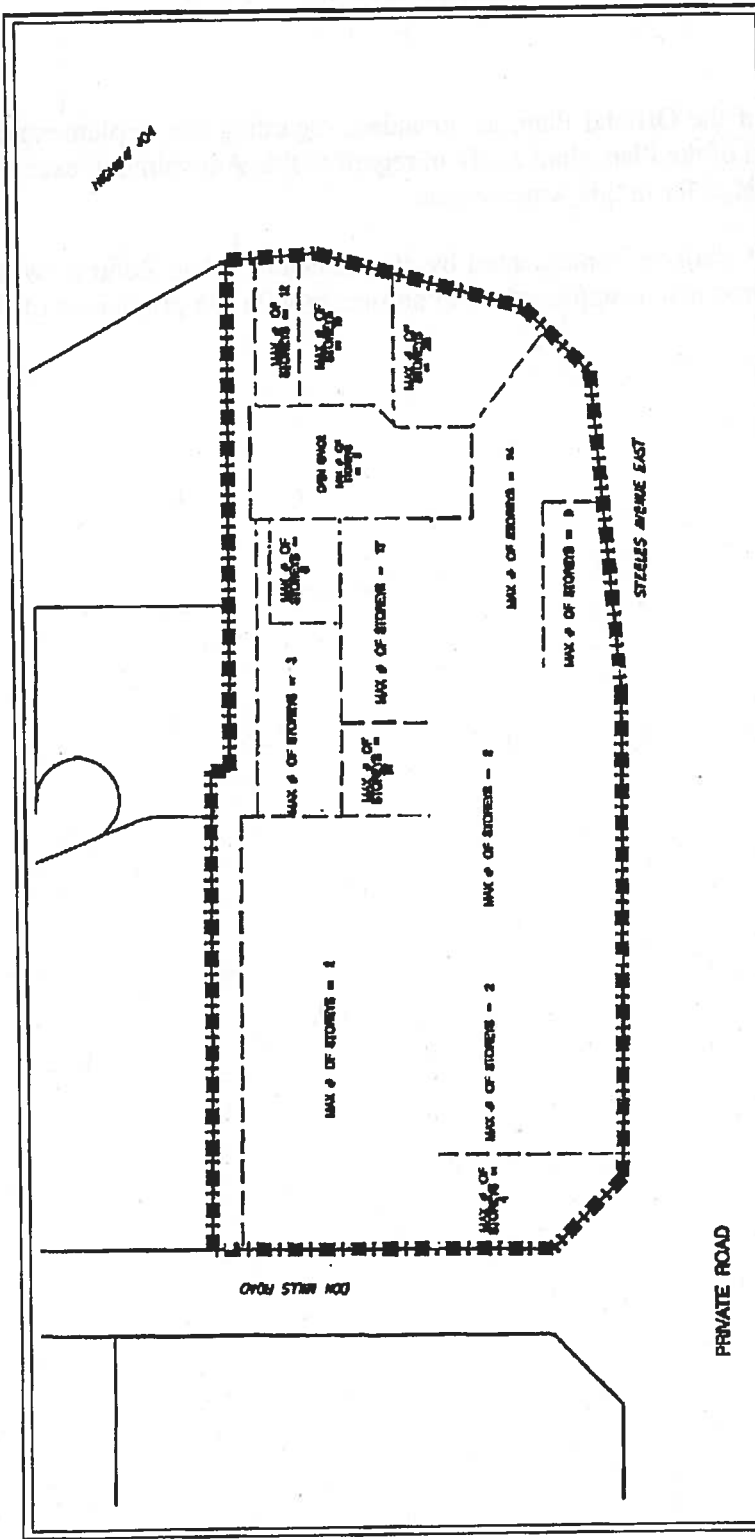
iii) Effect of lifting the Hold 1 (H1) and Hold 2 (H2):

The effect of lifting the Hold 1 (H1) and Hold 2 (H2) provisions shall be in accordance with the phasing plan approved by the Town and as set out in the implementing zoning by-law.”

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by amendment/s to the Zoning By-law and site plan approval/s, as applicable, in conformity with the provisions of this Amendment.



SECONDARY PLAN AMENDMENT NO. 16 TO THE THORNHILL SECONDARY PLAN (PD No. 3-1) (PART III OF O.P.A. No. xxx)

BOUNDARY OF AREA SUBJECT TO POLICES IN SECTION 6.3.2

DATE: 06/06/11

SCALE: 1:1

DRAWN BY: DO CHECKED BY: MB

FIGURE NO. 6.3.2

DEVELOPMENT SERVICE CONSULTANT

OP07130802.dgn 31/03/2011 12:15:27 PM

ATTACHMENT "2"

EXPLANATORY NOTE

BY-LAW 2010-xxx

A By-law to amend By-law 2612, as amended

Bayview Summit Developments Limited
2900 Steeles Avenue East

LANDS AFFECTED

The By-law applies to lands located on the north east corner of Don Mills Road and Steeles Avenue, in Markham.

EXISTING ZONING

The lands subject to this By-law are presently zoned Community Commercial [CC] by By-law 2612, as amended.

PURPOSE AND EFFECT

The purpose and effect of this By-law is to rezone the western portion of the subject site to the Community Amenity One [CA1] to permit a retail and office development; to rezone the eastern portion of the site to Community Area 2 [CA2] to permit a mixed use high density residential and commercial development; and to rezone land in the north eastern portion of the site to Open Space One [OS1]. The By-law applies site-specific zoning provisions for new CA1 and CA2 zones, including site-specific permitted uses, height provisions, setbacks, maximum residential units and floor area and parking provisions. The zoning by-law incorporates Holding One (H1) and Holding Two (H2) provisions to the CA2 Zone to provide for phased development of the mixed use area.

The specific conditions for removal of these holding provisions are set out in the By-law and relate to the following matters:

Conditions for removal of the H1 provision:

- Payment of Section 37 financial contribution and/or satisfactory arrangements being in place for provision of in kind facilities, all to the satisfaction of the Commissioner of Development Services;
- The Town, in consultation with York Region, is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of dwelling units permitted;

- Submission of a municipal servicing study to the satisfaction of the Director of Engineering in consultation with York Region;
- Execution of one or more Development Agreement(s) as may be required between the Town, the Owner, and where applicable, York Region and the City of Toronto, relating to the construction, financing, and implementation of off-site servicing infrastructure improvements, if required by the Town;
- Submission of the following:
 - a transportation monitoring study of the travel characteristics associated with the uses developed on the subject lands prior to the lifting of the H1 provision, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto; and
 - an updated transportation impact study using the findings of the transportation monitoring study, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto.

Effect of lifting the H1 provision:

- A maximum of 748 residential units shall be permitted;

Conditions for removal of the H2 provision:

- Removal of the Hold 1 (H1) provision;
- Payment of a Section 37 financial contribution and/or satisfactory arrangements being in place for provision of in kind facilities, all to the satisfaction of the Commissioner of Development Services;
- The Town, in consultation with York Region, is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of dwelling units permitted;

- Submission of a municipal servicing study to the satisfaction of the Director of Engineering in consultation with York Region;
- Execution of one or more Development Agreement(s) as may be required between the Town, the Owner, and where applicable, York Region and the City of Toronto, relating to the construction, financing, and implementation of off-site servicing infrastructure improvements, if required by the Town;
- Submission of the following:
 - a transportation monitoring study of the travel characteristics associated with the uses developed on the subject lands prior to the lifting of the H2 provision, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto; and
 - an updated transportation impact study using the findings of the transportation monitoring study, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto.

Effect of lifting the H2 provision:

- The remaining residential units shall be permitted

BY-LAW 2011-XXX

A By-law to amend By-law 2612, as amended

To rezone the lands at the north east corner of Don Mills Road and Steeles Avenue to permit high density mixed commercial and residential development

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. That By-law 2612, as amended is hereby further amended as it applies to the lands outlined on Schedule 'A' attached hereto as follows:
 - 1.1 By re-zoning the lands from the Community Commercial [CC] to the Community Amenity Area One [CA 1]; Community Amenity Area Two (Hold 1) [CA2(H1)]; Community Amenity Area Two (Hold 2) [CA2(H2)]; and Open Space One [OS1] Zones.
2. That By-law 2612, as amended is hereby further amended by adding the following to the list of zones in Section 3.2 as set out below:

"Community Amenity Area One - CA1

"Community Amenity Area Two - CA2"
3. Notwithstanding any other provision of By-law 2612, as amended, the provisions in this Section shall apply to only those lands denoted on Schedule 'A' attached hereto. All other provisions of this By-law unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

3.1 Use Definitions

- a. "Drive-Through Service Facility" means a building or structure or part thereof where goods and/or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk, where goods, money or materials are exchanged. Kiosks within a parking garage or associated with a surface parking area are not considered to be drive-through service uses.

- b. "Open Space" means an open recreational area which includes one or more of the following facilities or activities:
- i. Areas for walking, sitting or outdoor recreation including playgrounds, picnic areas, hard or soft landscaped areas, athletic fields or outdoor skating rinks;
 - ii. A *parking garage* subject to the following:
 - The *parking garage* being for *motor vehicle* or bicycle parking and/or *storage lockers*;
 - The *parking garage* being located entirely below grade except that associated stairwells and ventilator shafts may project above established grade.

3.2 Permitted Uses

3.2.1 Only Uses Permitted in the Community Amenity Area One [CA1] Zone

(i) NON-RESIDENTIAL

- a) *art galleries;*
- b) *business offices;*
- c) *clubs, private;*
- d) *commercial fitness centres;*
- e) *community centres;*
- f) *day nurseries;*
- g) *financial institutions;*
- h) *gas bar;*
- i) *libraries;*
- j) *medical offices;*
- k) *motor vehicle service centre not to exceed 743 square metres gross floor area*
- l) *parks;*
- m) *personal service shops;*
- n) *places of worship;*
- o) *recreational establishments;*
- p) *repair shops;*
- q) *restaurants;*
- r) *restaurants, take-out;*
- s) *retail stores;*
- t) *schools, commercial;*
- u) *schools, private;*
- v) *schools, public;*

- w) *supermarket;*
- x) *theatres*

3.2.2 Only Uses Permitted in the Community Amenity Area Two [CA2] Zone

(i) RESIDENTIAL:

- a) *apartment dwellings;*
- b) *multiple dwellings*

(ii) NON-RESIDENTIAL:

- a) *art galleries;*
- b) *business offices;*
- c) *clubs, private;*
- d) *commercial fitness centres;*
- e) *community centres;*
- f) *day nurseries;*
- g) *financial institutions;*
- h) *libraries;*
- i) *medical offices;*
- j) *parks;*
- k) *personal service shops;*
- l) *places of worship;*
- m) *recreational establishments;*
- n) *repair shops;*
- o) *restaurants;*
- p) *restaurants, take-out;*
- q) *retail stores;*
- r) *schools, commercial;*
- s) *schools, private;*
- t) *schools, public;*
- u) *supermarket;*
- v) *theatres*

3.2.3 Only Uses Permitted in the Open Space One [OS1] Zone

- a) *open space*

3.2.4 Zone Standards

The following specific zone standards apply to the lands set out in Schedule "A" attached to this by-law.

a) Floor Space Index

The maximum *Floor Space Index (FSI)* for all of the buildings on the lands delineated on Schedule 'A' to this By-law shall not exceed 1.85 FSI. Notwithstanding the foregoing, the total FSI for all permitted residential uses shall not exceed 1.5 FSI.

For the purposes of this By-law, only the following floor areas are exempted from the *FSI* calculation:

- *motor vehicle* or bicycle parking areas above or below grade;
- rooftop mechanical penthouses;
- lobbies located below grade;
- loading areas located below grade;
- storage lockers located below grade;
- garbage/recycling, utility, mechanical, and electrical rooms located below grade;

b) Height

The maximum height of any building or structure shall be as shown on Schedule 'B' to this By-law, measured to:

- i) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- ii) the decline of a mansard roof;
- iii) the mean level between eaves and ridge of a gable, hip or gambrel roof or other type of pitched roof;
- iv) in case of a structure with no roof, the highest point of said structure.

Notwithstanding the above, any ornamental roof construction features including towers, stair enclosures, steeples or cupolas, shall not be included in the calculation of height. Mechanical features, including their screening, and structures containing the equipment necessary to control an elevator, are permitted to project a maximum of 5.0 metres above the highest point on the roof surface, regardless of the height of the building. Lobbies and stairwells serving rooftop parking are permitted to project a maximum of 5.5 metres.

c) Minimum yard setbacks:

The minimum required yard setbacks for any building or structure shall be as shown on Schedule 'C' to this By-law.

In the CA1 zone, the underground parking garage along the Steeles Avenue East and Don Mills Road *lot lines* must be located entirely below the existing geodetic elevation at the *lot lines*.

For greater clarity, the *lot line* adjacent to Don Mills Road shall be the *lot line* as it exists after the conveyance to York Region of the lands required to ensure a minimum 22.5 m right of way width from the existing centre line of construction of Don Mills Road.

d) Maximum number of dwelling units:

The maximum number of *dwelling units* permitted is 1,235.

e) Residential Floor Area

Schedule 'B' identifies two areas with a maximum residential floor area as follows:

i) Within the block identified as *1 on Schedule 'B' the maximum floor area of any storey of a residential tower above 219.53 metres geodetic elevation above sea level shall be 850 square metres.

ii) Within the block identified as *2 on Schedule 'B' the maximum floor area of any storey of a residential tower above 239.53 metres geodetic elevation above sea level shall be 850 square metres.

For the purposes of this provision, the floor area is deemed to include all of the horizontal space between the exterior faces of the exterior walls of the building at each floor level, whether it is broken or not by elevator shafts, stairwells, or similar breaks in the floor.

f) Minimum Separation Distances

The minimum separation distance between portions of buildings above 219.53 metres geodetic elevation above sea level shall be 30 metres, except as shown on Schedule 'B'.

g) Maximum permitted projections

Notwithstanding the foregoing, encroachments into the permitted yard setback shall be as follows:

Structure	Maximum permitted projection
Eaves, cornices, ornamental or architectural elements, light fixtures, balustrades, mullions, window sills, and bay windows	Maximum projection of 0.3 metres into the required yard setback
Canopies, balconies and awnings	Maximum projection of 2.4 metres into the required yard setback

3.2.5 Special Parking Provisions

A minimum number of parking spaces are required for all of the uses permitted as set out below:

Use	Minimum Parking Spaces required
<i>Apartment dwelling</i> <i>Multiple dwelling</i>	1 parking spaces per dwelling unit plus 0.1 parking spaces per dwelling unit for visitors
<i>Business Offices</i>	1 parking space per 30.0 square metres of net floor area
<i>Commercial fitness centres, financial institutions, recreational establishments, repair shops, restaurants, take out restaurants, retail stores, schools commercial, supermarkets.</i>	1 parking space for every 30.0 square metres of net floor area and for supermarkets 1 parking space per 20 square metres of net floor area
<i>Places of Worship</i>	The greater of: 1 parking space per 4 persons of the worship area capacity; or 1 parking space per 9 square metres of the net floor area of the worship area(s) and any accessory use areas, excluding any residential uses

3.2.6 Special Site Provisions

The following additional provisions shall apply:

- a) *Outdoor storage* use is not permitted.
- b) The establishment of a *drive-through service facility* associated with any use is not permitted.

- c) Nothing in this By-law shall be interpreted to prevent the construction of a *parking garage* located below grade for the purpose of *motor vehicle* or bicycle parking and/or *storage lockers* on any portion of the lands identified on Schedule A to this By-law.
- d) Nothing in this By-law shall prevent the use of land for a sales office for the sale of residential, commercial or office *suites* provided that the *suites* to be sold are to be located on lands within the limits of the Town of Markham.
- e) Outdoor display, sales, dining and patio uses are permitted.
- f) The minimum gross floor area for all permitted uses in the Community Amenity Area One [CA1] Zone shall be 18,600 m².
- g) The applicant shall be required to enter into a Section 37 Agreement to secure provision of community facilities and services by the Town.
- h) The lands shown in Schedule A shall be treated as one *lot* for the purposes of this By-law.

4 HOLDING PROVISIONS

The Hold 1 (H1) and Hold 2 (H2) zones are shown on Schedule 'A' attached to this By-law.

4.1 Uses Permitted Prior to the Lifting of a Holding Provision

Only non-residential uses are permitted prior to the removal of the H1 provision and non-residential uses continue to be permitted prior to the removal of the H2 provision.

4.2 Conditions for Removing the H1 Provision

The Hold 1 (H1) Provision shall not be lifted until the following conditions have been met to the satisfaction of the Town of Markham:

- i) Payment of Section 37 financial contribution and/or satisfactory arrangements being in place for provision of in kind facilities, all to the satisfaction of the Commissioner of Development Services;
- ii) The Town, in consultation with York Region, is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of dwelling units permitted;
- iii) Submission of a municipal servicing study to the satisfaction of the Director of Engineering in consultation with York Region;
- (iv) Execution of one or more Development Agreement(s) as may be required between the Town, the Owner, and where applicable, York Region and the City of Toronto, relating to the construction, financing, and implementation of off-site servicing infrastructure improvements, if required by the Town;
- v) Submission of the following:
 - a transportation monitoring study of the travel characteristics associated with the uses developed on the subject lands prior to the lifting of the H1 provision, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto; and
 - an updated transportation impact study using the findings of the transportation monitoring study, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto.

4.3 Effect of lifting the Hold 1 (H1) provision:

That the lifting of the Hold 1 (H1) provision has the effect of permitting a maximum of 748 *dwelling units* on the lands subject to this By-law.

4.4 Conditions for Removing the Hold 2 (H2) Provision

The Hold 2 (H2) Provision shall not be lifted until the following conditions have been met to the satisfaction of the Town of Markham:

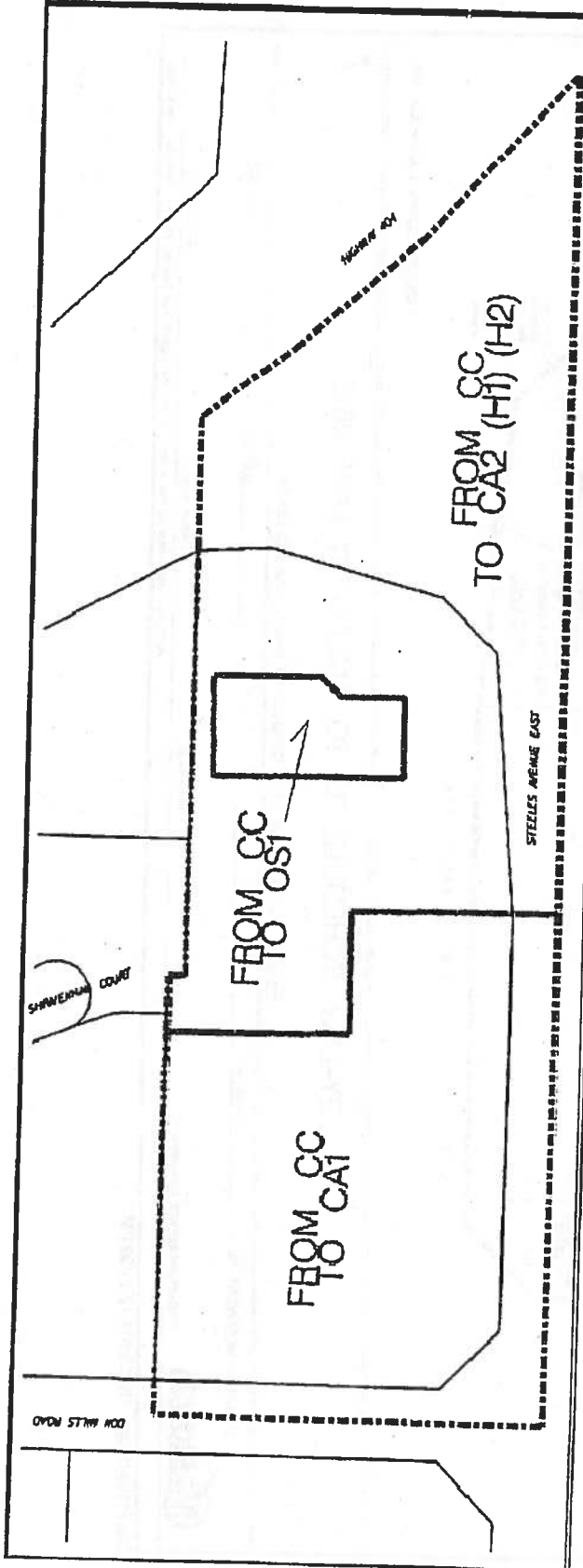
- i) Removal of the Hold 1 (H1) provision
- ii) Payment of a Section 37 financial contribution and/or satisfactory arrangements being in place for provision of in kind facilities, all to the satisfaction of the Commissioner of Development Services;
- iii) The Town, in consultation with York Region, is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of dwelling units permitted;
- iv) Submission of a municipal servicing study to the satisfaction of the Director of Engineering in consultation with York Region;
- v) Execution of one or more Development Agreement(s) as may be required between the Town, the Owner, and where applicable, York Region and the City of Toronto, relating to the construction, financing, and implementation of off-site servicing infrastructure improvements, if required by the Town;
- vi) Submission of the following:
 - a transportation monitoring study of the travel characteristics associated with the uses developed on the subject lands prior to the lifting of the H2 provision, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto; and
 - an updated transportation impact study using the findings of the transportation monitoring study, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto.

4.5 Effect of Lifting the Hold 2 (H2) Provision

That lifting of the Hold 2 (H2) provision has the effect of permitting the remaining permitted *dwelling units* on the lands subject to this by-law;

5. All other provisions of By-law 2612, as amended, not inconsistent with the provisions of this By-law, shall continue to apply.

APPROVED BY ONTARIO MUNICIPAL BOARD ON _____, 2011



BY-LAW SCHEDULE "A" TO AMEND BY-LAW 2612

BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

BOUNDARY OF ZONE DESIGNATION(S)

CC COMMUNITY COMMERCIAL

OST OPEN SPACE ONE

CA1 COMMUNITY AMENITY AREA ONE

CA2 COMMUNITY AMENITY AREA TWO

HOLDING PROVISION

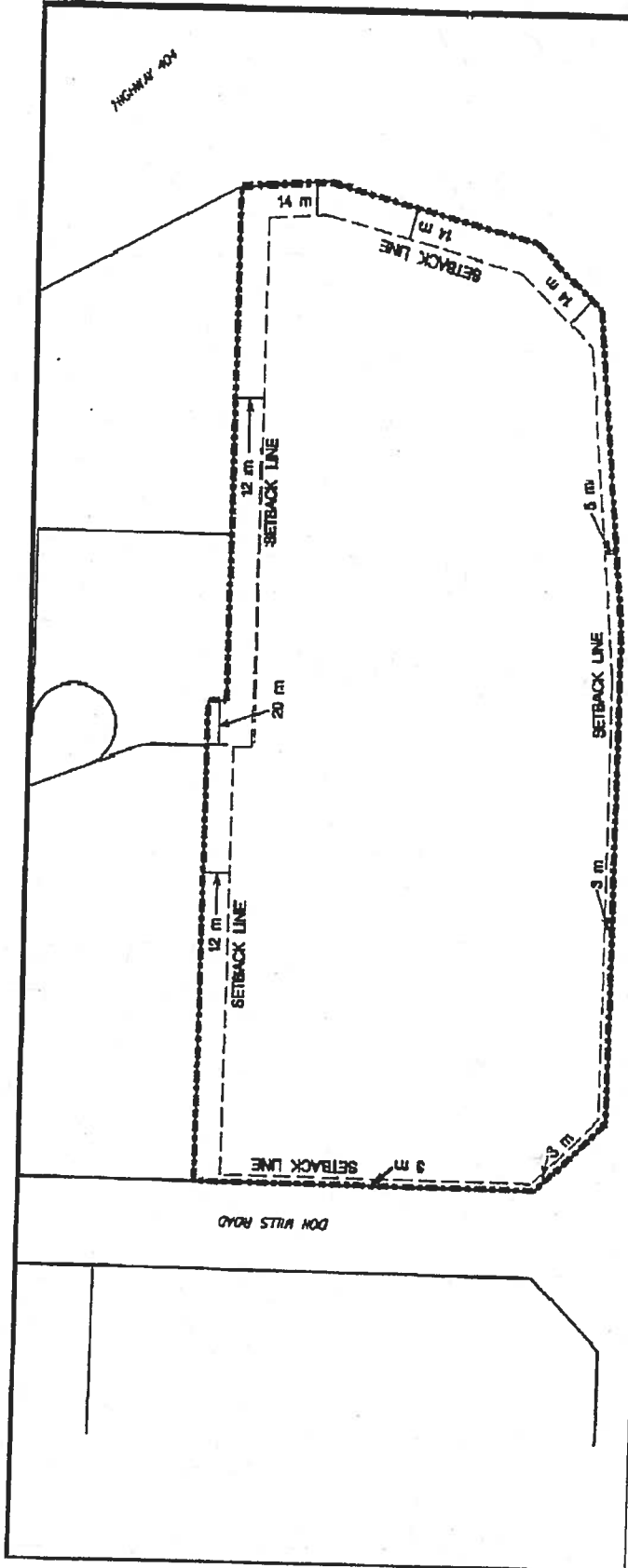
BY-LAW AMENDMENT No. _____ PASSED _____ (MAYOR) _____ (CLERK)



DEVELOPMENT SERVICES COMMISSION

Event by: 00

Checked by: 00



BY-LAW SCHEDULE "C" TO AMEND BY-LAW 2612

BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

BY-LAW AMENDMENT No. PASSED

ON (CLEAN)



DEVELOPMENT SERVICES COMMISSION

Date: Apr 20

Checked by:

NOTE: This Schedule should be read in conjunction with the original By-Law and with the Terms of Reference. Check's Office

ZA071107-45.dgn 29/09/2011 12:12:24 PM

27



BOUSFIELDS INC.

July 21, 2011

Project No. 1

Mr. Jim Baird
Commissioner of Development Services
Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

Dear Mr. Baird,

Re: Markham Woodside Centre

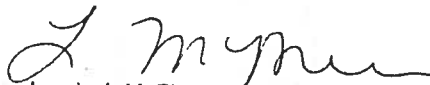
As you are aware, we are the planning consultants for Calloway REIT and CREIT, the owners of approximately 30 acres of land located to the immediate east of the southeast corner of Woodbine and Highway 7 as set out in the attached site plan ("the Site"). We would like to thank you for meeting with Andy Robins, CREIT; Heather Jenkins, Calloway REIT; and myself on June 29, 2011 to discuss the Town of Markham's new Official Plan program and opportunities for involvement. As indicated at our meeting, the owners are interested in intensifying the Site for higher density mixed use development including office and residential uses with retail in a phased manner.

We understand from our meeting that the Town does envision the evolution of the Site for mixed use development, including residential, over the mid to longer term, but would like to ensure that a retail component is maintained. Further, we understand that an Area Study/Secondary Plan process would be required for the Site to determine details including the size and location of the various uses, a new road pattern and phasing. This process would follow the new Official Plan.

We would appreciate it if you would keep us informed of the new Official Plan process and advise us of any meetings that take place. The fact that the majority of the quadrant is in a single ownership facilitates the redevelopment and implementation of a comprehensive plan for the area. We would like to work with you throughout the process and assist in any way by providing information or concept plans that would assist in moving intensification of the Site forward.

Thank you again for meeting with us.

Yours very truly,
Bousfields Inc.



Laurie J. McPherson, B.E.S., MCIP, RPP

cc: Andy Robins, CREIT - arobins@creit.ca
Heather Jenkins, Calloway REIT - hjenkins@allowayreit.com



LARKIN+ ASSOCIATES Planning Consultants Inc.
 1 168 Kingdale Road
 Newmarket, Ontario
 Canada L3Y 4W1



Phone: (905) 895-0554
 Toll Free: (888) 854-0044
 Fax: (905) 895-1817

6 November, 2012

Jim Baird, MCIP, RPP
 Commissioner
 Development Services
 City of Markham
 101 Town Centre Blvd.
 Markham, ON L3R 9W3

**Re: City of Markham
 Official Plan Review**

Dear Sir,

We represent Memorial Gardens Canada Limited ("Memorial Gardens") regarding land use planning matters which may impact their cemetery properties. Memorial Gardens owns and operates cemeteries across Canada and is actively involved in the development of new cemetery properties in different provinces. In York Region, Memorial Gardens owns Highland Hills Memorial Gardens in Gormley (Whitchurch-Stouffville) and Glenview Memorial Gardens in Vaughan. In the City of Markham, Memorial Gardens maintains an active application for the development of a new cemetery within and adjacent to the Dickson Hill - Hamlet Area.

We have reviewed the new draft Official Plan in light of cemeteries and related uses and the policies that permit and govern them, and offer the following comments on planning for cemeteries in the City of Markham.

Summary of the Cemetery Policies

Through our review, it appears that cemeteries are identified as an institutional use in Section 5.1.6, Institutions, and that the intent of the plan is to integrate such uses within the community "in accordance with the provisions of the 'Residential', 'Mixed-Use' and 'Private Open Space' designations". Furthermore, Section 8.1.1 identifies uses provided for in all Land Use Designations "except in the 'Greenway' designation... and the 'Employment Lands' designations in the case of a sensitive land use". One of these uses is publicly owned cemeteries in subsection f). Privately owned cemeteries are permitted within the Private Open Space Designation, an urban designation, the policies of which are detailed in Section 8.9 and subject to policies stated in **Sections 8.9.1.4 and 8.9.1.5**. It appears that, in essence, neither private nor public cemeteries are permitted in the rural areas of the City in that the Greenway policies do not identify cemeteries as a permitted use and are, in fact, prohibit institutional uses in the Oak Ridges Plan area and the Greenbelt Plan Area in Section 8.6.1.4. The Countryside designation policies in Section 8.8.1.3 prohibit all non-agricultural uses, with the exception of uses listed in **8.8.1.2 f)**, being conservation projects, veterinary clinic, sod farm, horse farm, nature based recreation and fish/wildlife/forestry management.

In summary, we have noted the following overall concepts:

- The Draft Official Plan differentiates between public and private cemeteries and, while providing policies for the expansion of existing private cemeteries and the establishment of new privately owned cemeteries, fails to apply the policies and guidelines for the establishment and expansion of publicly

owned cemeteries. Publicly owned cemeteries are permitted across a range of designations, with some exceptions, whereas privately owned cemeteries are specifically permitted only within "Private Open Space" which is an urban designation;

- The City of Markham generally considers cemeteries as being an urban use. A review of the policies concludes that neither public nor private cemeteries are permitted within the 'Greenway' or the 'Countryside' designations. These designations comprise the majority, if not all, of the rural land in the City of Markham.
- The new draft Official Plan supports very aggressive intensification policies for urban areas which present a challenge to the location and expansion of cemeteries which require, by nature, large parcels of land but yet very little in the way of municipal servicing; and,
- The specific cemetery policies detailed in Sections 8.9.1.4 and 8.9.1.5 of the plan are fairly comprehensive when compared to other municipalities within Ontario. A few suggestions can be made, however, to further strengthen and define the City of Markham's cemetery policies.

Based on this review, we have identified some concerns with the manner in which cemeteries are addressed within the draft City of Markham Official Plan.

Comments:

We offer the following comments for your consideration:

1. Public and Private Cemetery Differentiation

We feel that both privately and publicly owned cemeteries should be permitted across all designations, with some exceptions such as employment lands and environmentally sensitive lands, and should be subject to the same locational and development criteria as defined in Sections 8.9.1.4 and 8.9.1.5.

2. Cemeteries as an Urban Land use

There is a false perception that cemeteries should be considered an urban land use. This perception is contrary to the historic evidence relating to the development of cemeteries. Early burial grounds were located away from settlement areas for health and perception reasons. As the settlements grew, however, the burial grounds became part of the community and became more formalized in terms of their organization. To this end, early cemeteries were often associated with local churches, typically located within the church yard itself. As the settlement areas expanded, however, larger properties were needed to accommodate the burial needs of the settlement residents. New cemeteries, therefore, were by necessity located on the outskirts of communities as this was generally the only place properties of sufficient size could be secured.

As an example, we note that Mount Pleasant Cemetery in midtown Toronto was established in 1876 in what was known as Deer Park (www.mountpleasantgroup.com) which was originally considered to be "far north of the city". Woodlawn Cemetery in London, Ontario is another example and is described as being established in 1879 "two or three miles west of the city" (www.woodlandcemetery.on.ca). Local examples of this are Holy Cross Catholic Cemetery, established in 1954, and Christ the King Cemetery, established in 2001.

1. that the land does not comprise a specialty crop area;
2. there is a need for the cemetery;
3. the use is compatible with surrounding uses;
4. there are no reasonable alternatives existing in the urban area or on lower priority agricultural lands.

We would be pleased to offer you examples of cemetery policies for your assistance.

4. Urban Economics

The amount of land required for new cemeteries is almost impossible to find in most urban areas as the value is increased due to the other land uses competing for the same, serviced, lands. Servicing is what defines urban areas. Current Provincial policy requires the intensification of urban areas. Thus there is increasing competition for the various "traditional" urban land use types (residential, employment, commercial, etc) which rely on the provision of municipal services. In contrast, by virtue of their characteristics, cemeteries do not require servicing. They can be, and often are, serviced by private well and septic system.

The logic of using "serviced" land, therefore, for a use that requires little if any municipal services is questionable. Municipalities have a reasonable expectation of recovering the capital investment made in installing services from the development that uses them. Thus, from an economic perspective the use of urban land for cemeteries makes little sense: The conclusion is that cemeteries are more logically sited outside of urban areas.

5. Population Projections

Typical land use planning utilizes projections of population growth to assess the requirements for various types of land uses (such as residential, commercial, industrial, etc.). In this regard, the Town's draft Official Plan follows this convention. Nowhere in the Plan, however, is there an assessment of mortality rates and total numbers within the effective life of the Plan to ascertain whether or not the City is adequately served by cemetery lands. Furthermore, due to the unique nature of cemeteries as a land use, it must be recognized that the "planning horizon" for this particular use is not typical of that used in land use planning, and thus it is important that the City considers requirements beyond the life of the Plan.

Finally, it must be recognized that social preferences and composition change over time and that there may be a corresponding influence on the nature and type of lands required for cemeteries in future. While there may be evidence over time of a general change in memorialization preference (such as an increase in the number of cremations in relation to traditional burial options) these changes take many generations to have any substantive influence on planning for cemeteries. Additionally, the spatial and locational requirements for future burial gardens / cemeteries are not considered in typical land use planning exercises. In this regard, the City's Official Plan review is no exception. Thus it is important that land use policies provide sufficient flexibility in terms of the burial options future generations might require.

6. Planning Horizon

Cemeteries provide an intergenerational amenity to the society of the community they serve, and typically take many years to be fully developed. Conventional land use planning applies a 15 to 20 year "horizon" as an appropriate window within which to provide land use policy direction. In contrast,

The location of cemeteries within the urban area, in fact, conflicts with the proposed intensification policies. The City of Markham has set very aggressive intensification targets in Section 2.4 of the new draft Official Plan stating that 60% or greater of all residential development and 2/3's of jobs will be added within the built up areas of the City. This target is significantly more aggressive than the Region of York's minimum target of 40% of all residential development within the built-up area. This intensification pressure presents a challenge to development of cemeteries as the competition for the more traditional land uses, such as residential, commercial and industrial and employment land, will be intense. Furthermore, whereas the more common land use characterizations are considered to be "residential", "commercial", "industrial", "institutional" and "recreational", with a focus on the infrastructure requirements of their provision, cemeteries require little infrastructure for their implementation and maintenance.

Modern cemeteries typically require from 20 to 40 hectares of land (50 to 100 acres) to be viable, however they require little infrastructure to support them. The location, therefore, of new cemeteries within urban areas does not represent the most efficient use of public infrastructure. As well, parcels of land of this size can be difficult, if not impossible, to locate within an urban area and will fail to compete with other, more traditional land uses.

Finally, the concept of cemeteries as a rural land use has been recognized by the Region of York in Section 6.4, Rural Area, of their new regional Official Plan. The Region of York identifies cemeteries as a rural use and, in this regard, the City of Markham's Official Plan does not conform to the Region of York's policies. This reflects the position adopted in 2011 by the Greater Toronto Countryside Mayors Alliance recognizing that new cemeteries cannot be established within a community's settlement area boundary. In this regard, the Mayors Alliance met with the Minister of Municipal Affairs and Housing in June of 2011 to discuss several items of concern, including a request to empower municipalities to permit the planning and development of prime agricultural lands for public uses (cemeteries).

In light of the foregoing, it is important to accommodate cemetery development within the rural areas of a municipality subject to certain location criteria. We recommend that the City of Markham review the cemetery policies of the Region of York and modify their policies to recognize cemeteries as a rural land use.

3. Cemetery Policies in Section 8.9.1.4 and 8.9.1.5

The cemetery policies presented in Section 8.9.1.4 and 8.9.1.5 are fairly comprehensive when compared to other municipalities within Ontario. We offer the following suggestions for your consideration:

- These policies should be extended to the expansion and location of publicly owned cemeteries;
- Differentiation in the policies should be made between expansion of an existing cemetery and the establishment of a new cemetery which would require more rigorous study;
- Both private and public cemeteries should be permitted within all designations, with some logical exceptions;
- New cemeteries should address water and wastewater servicing and impacts on key natural heritage or hydrological features and functions, biodiversity or connectivity of the Regional Greenlands System; and,
- Cemeteries should be permitted within the 'Countryside' and 'Greenway' designations provided an analysis is included which demonstrates:

modern cemeteries typically "plan" to provide for the burial and memorial requirements of up to four generations. For statistical purposes it is generally accepted that a generation replaces itself every 25 years¹. Thus an appropriate planning horizon for cemeteries would be 100+ years.

Conclusions

In conclusion, we feel that the following is necessary to ensure that cemeteries are properly addressed within the City of Markham Official Plan:

- Recognize that cemeteries are a rural land use, in conformity with the Region of York's new Official Plan, and permit private and public cemeteries in all designations, including designations of Greenway and Countryside, subject to certain location criteria and development requirements.
- Expand the cemetery policies listed in Section 8.9.1.4 and 8.9.1.5 and apply to publicly owned cemeteries.
- Acknowledge that the planning horizon in relation to planning for cemeteries is in excess of 100 years.

We do recognize the efforts of the City of Markham to address cemeteries within their new Official Plan. We strongly believe that the comments included in this letter need to be addressed during the next stage in the Official Plan review process.

Should you have any questions regarding these matters, please do not hesitate to contact the undersigned at (905) 895-0554.

Sincerely,

LARKIN+


Michael T. Larkin, M.Pl., MCIP, RPP
mtlarkin@larkinassociates.com

cc W. Thomas Barlow, Fasken Martineau DuMoulin LLP
D. Annand, urbanMetrics inc.
C. Casale, Cosmopolitan Associates Inc.
for Memorial Gardens Canada Limited

¹ In developed countries the generational replacement rate has actually been increasing. In the United States it rose from 21.4 (1970) to 25.0 (2006), where as in Canada it is slightly longer: 23.7 (1970) to 28.0 (2006). (Mathews & Hamilton, 2009) Thus, it is possible that the actual planning horizon for cemeteries should be 112 years (Canada).

LARKIN+ ASSOCIATES Planning Consultants Inc.
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December 14, 2011

Jim Baird, MCIP, RPP
Commissioner
Development Services
Town of Markham
101 Town Centre Blvd.
Markham, ON L3R 9W3

Re: Official Plan Review

Dear Sir,

We represent Memorial Gardens Canada Limited ("Memorial Gardens") regarding land use planning matters which may impact their cemetery properties. On behalf of our client we formally request notice of any and all Council and/or Standing Committees where the new Official Plan may be discussed.

Memorial Gardens owns and operates cemeteries across Canada and is actively involved in the development of new cemetery properties in different provinces. In York Region, Memorial Gardens owns Highland Hills Memorial Gardens in Gormley (Whitchurch-Stouffville) and Glenview Memorial Gardens in Vaughan. In the Town of Markham Memorial Gardens has an active application for the development of a new cemetery within and adjacent to the Dicksons' Hill Settlement Area. To keep up with the increasing demand for cemetery space they are also actively involved in establishing new cemeteries in the Region of York and the GTA.

It is noted that the current Town of Markham Official Plan contains policies for the development of new cemeteries. Since this unique form of land use (cemetery) is often overlooked in land use policy we encourage the Town to ensure that appropriate policy direction is carried forward into the new Official Plan. We are therefore interested in reviewing the draft policies for the new Official Plan in this light and providing comments as necessary on behalf of our client.

Sincerely,

LARKIN+

Sarah Baldwin, MCIP, RPP
sbaldwin@larkinassociates.com

cc Cosimo Casale; Cosmopolitan Associates Inc.
W. Thomas Barlow; Fasken Martineau DuMoulin LLP

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AIRD & BERLIS LLP

Barristers and Solicitors

Patricia A. Foran
Direct: 416.865.3425
E-mail: pforan@airdberlis.com

November 1, 2012

Our File No. 110524

BY EMAIL

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

Attention: Judy Carroll, Clerk's Department

Dear Ms. Carroll:

**Re: City of Markham's New Draft Official Plan – Cornell Centre – Proposed
Mixed Use Mid Rise Designation
Public Meeting and Open House scheduled for November 6, 2012
Our Client: Lindvest Properties (Cornell) Limited**

We are the solicitors for Lindvest Properties (Cornell) Limited. As Council is aware, our client is a major landowner in the Cornell Secondary Plan area. We write respecting their lands located in the block east of Bur Oak Avenue, south of Highway 7, west of Donald Cousens Parkway, and adjacent to Highway 407 on the south (the "Subject Lands"). A land use map, identifying the lands of interest for purposes of this correspondence, is enclosed. The City's new draft Official Plan proposes to designate these lands as "Mixed Use Mid Rise" as shown on Map 3 – Land Use.

Our client is currently in the process of conducting its review of the proposed new Official Plan (Part 1). However, we note that the new Official Plan is intended to incorporate existing secondary plans. It is not clear whether the City intends to amend the secondary plans prior to inclusion in the Official Plan. In the absence of this information, our client is concerned that the draft Official Plan circulated for comment is incomplete and full comments cannot be provided at this time.

Our client has had several discussions with representatives of the City of Markham over the last several months to outline their vision for the Subject Lands. Our client is proposing to focus retail/commercial development in this block and to also provide for the opportunity for a VIVA transit facility. The purpose of the commercial development will be to meet community retail demands with higher order shopping opportunities. A substantial portion of the Subject Lands will be developed through implementing site plan application(s) and will not require any Official Plan changes. However, development of the lands along the Highway 7 frontage for retail commercial purposes may require policy changes to permit stand-alone commercial retail facilities as an additional permitted use.

November 1, 2012
Page 2

Accordingly, our client wishes to work with the City to accommodate these changes within the new Official Plan. At this time, our client is requesting that Council direct Staff to meet with our client and their consulting team to discuss how best to reflect their vision within the new Official Plan.

Yours truly,

AIRD & BERLIS LLP

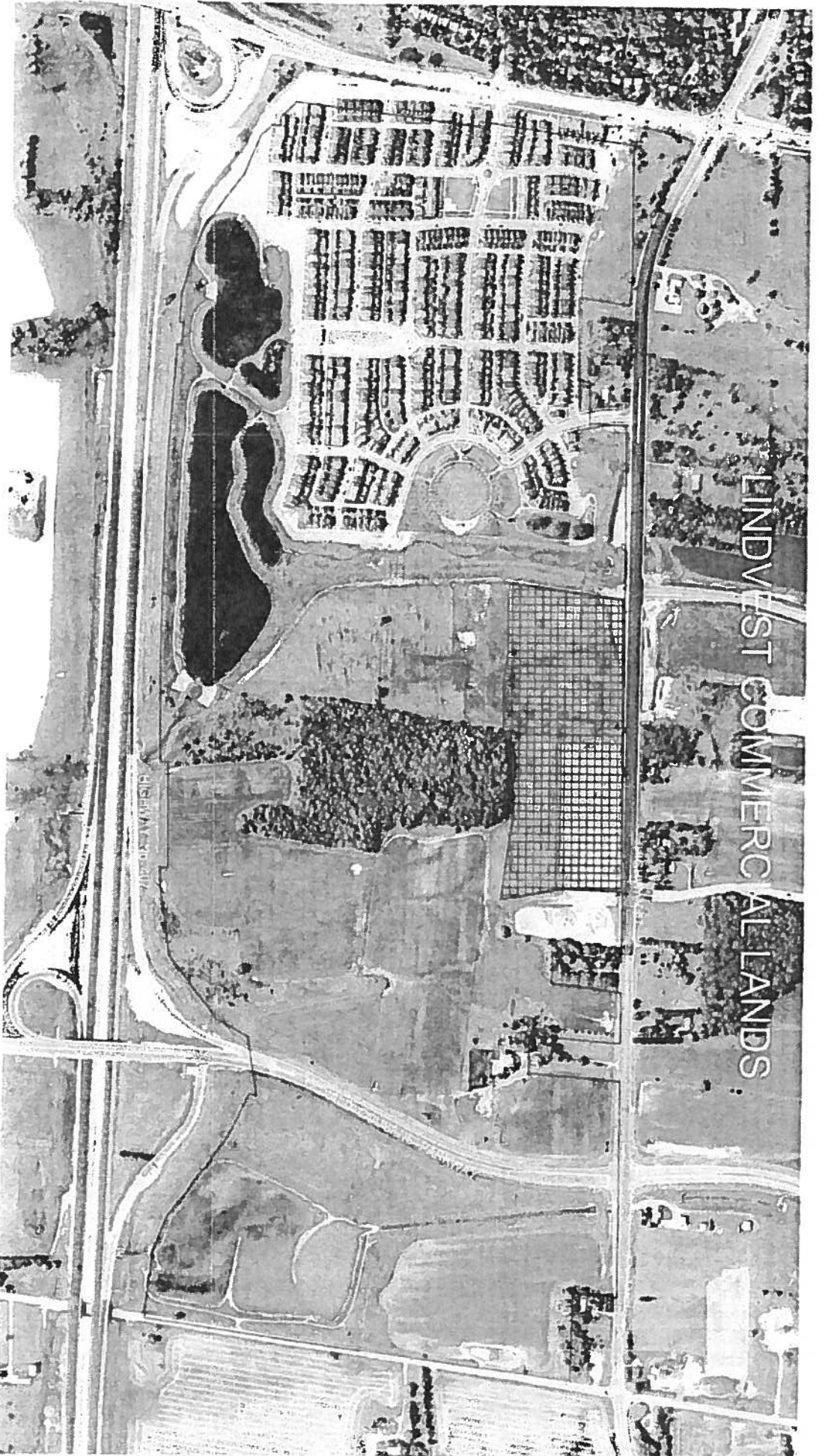


Patricia A. Foran

PAF/jad
Encl.

c. Lindvest Properties (Cornell) Limited

13396089.2



LINDVEST COMMERCIAL LANDS

Kanji, Teema

Subject: FW: Markham's Draft Official Plan - Chapter 11 - Area and Site Specific Policies

I received this email today and am concerned with the wording. Article 11.3.6.6 of the OP makes reference to our site at 9500 and 9506 Markham Road. Letter A and B reference our buildings having a maximum height of 20 storeys and 215 dwelling units on 9500 and 18 storeys and 218 units on 9506.

9500 Markham is under construction and not much will change there but we do have a portion of 2 dwelling units on the 21 floor of the building that by virtue of the wording in the zoning by-law they are not considered to be on the 21st storey. I trust that the zoning by-law will govern if compliance with this sentence in the OP is ever challenged.

9506 Markham also has a portion of 2 dwelling units in the upper storey being floor 19. Again the zoning bylaw does not recognize this storey as a storey. This building contains 219 units rather than the 218 units mentioned in the 11.3.6.6 b). The additional unit was approved through minor variance; application A09/12. We don't expect to add any more units to this building or floors but it would be a shame if an OP amendment would be required if we happen to add a unit.

I would request that you modify 11.3.6.6 b) to mention 219 units and would ask that you confirm that our buildings are in compliance with 11.3.6.6 a) and b) as I have explained it.

Thanks,
Joe Di Giuseppe

Kanji, Teema

From: Sandra Wiles
Sent: February-12-13 2:05 PM
To: Wouters, Margaret; Kanji, Teema; Bavington, Kitty
Cc: Andrew Orr
Subject: Draft New Official Plan -Greensborough Secondary Plan Area-Re 11.3.5 High School Site
Attachments: Figure 11.3.5 Chapter 11 New Draft Official Plan.pdf

Below are comments regarding the New Draft Official Plan-Chapter 11 with respect to the High School Site in the Greensborough Secondary Plan Area.

This high school site is identified in Chapter 11, Figure 11.3.5, "School Site".

To the west and northwest of the school site are parcels of land which have been dedicated to the City. These parcels of land have been set aside to accommodate the retention of trees. These parcels of land are designated as Greenway - Woodlands in the New Draft Official Plan.

The High School site has been transferred to the Trustee of the Greensborough Secondary Plan area and is being held in escrow in accordance with the requirements of the Cost Sharing Agreement which is referred to in Section 11.3.4 of Chapter 11 of the New Draft Official Plan.

The New Draft Official Plan indicates that within the Greenway - Woodlands and associated Vegetation Protection Zone designations development is prohibited. Vegetation Protection Zones adjacent to the Greenway - Woodlands designations are to be determined by further study and are to be a minimum of 10m.

Any Vegetation Protection Zone associated with the Greenway-Woodlands designation would extend into the school site block.

The boundary of the woodlot and school lands were previously determined through the policies of the Greensborough Secondary Plan and through registration of the plans of subdivision. The high school site has been set aside in accordance with the requirements of the Developers Group Agreement.

On behalf of the Developers Group we ask that an exception be included in Part 3 of the New Draft Official Plan which would recognize the current boundary of the parcel of land which has been set aside as a school site and would delete the requirement for any additional studies and any requirement to provide a Minimum Vegetation Protection Zone on the school site as a result of the Greenway - Woodlot designation placed on the parcels of land to the west and northwest.

Further the current approved Secondary Plan would allow for the development of the school site for residential purposes, in the event that the lands are not required by the school board. We ask that this policy remain in effect in any new secondary plan or any updated secondary plan which may be adopted as Part 2 of the Official Plan.

Please notify me of any further Public Meetings regarding the new Official Plan.

Please provide me with notification of the adoption of the New Official Plan.

Thank you.
 Sandra Wiles
 KLM Planning Partners Inc.

AIRD & BERLIS LLP

Barristers and Solicitors

Patricia A. Foran
Direct: 416.865.3425
E-mail: pforan@airdberlis.com

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February 22, 2013

Our File No. 104533

BY EMAIL

Mr. Jim Baird
Commissioner, Development Services
City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

Dear Mr. Baird:

**Re: City of Markham's Draft New Official Plan
Our Client: E. Manson Investments Limited**

We represent E. Manson Investments Limited, the owner of lands located at 245 Renfrew Drive in the City of Markham. Our client's property is located north of Hooper Road and west of Woodbine Avenue. The purpose of this letter is to request that Council incorporate into its new Official Plan, prior to adoption, a site specific policy recognizing an additional permission for a private school use on the property at 245 Renfrew Drive.

Background to Request

In 2010, our client's application for zoning amendment to permit a private school use (Peoples Christian Academy) on this property was approved by the Ontario Municipal Board (a copy of the Board's Decision is enclosed for ease of reference). The application had been approved by the City of Markham, appealed by a neighbouring landowner, and the City's decision upheld by the Board following a 3 week hearing.

Under the City's draft new Official Plan, our client's property continues to be proposed for a business park designation. However, the policies proposed to apply Business Park lands prohibit private schools from locating within the Business Park.

The Ontario Municipal Board decision specifically recognizes that private schools are an employment use under the Provincial Policy Statement and Growth Plan. In making this finding, the Board determined that because private schools do not share the same opportunities to acquire sites as public boards do, the foregoing provincial policies/Plan specifically enable these uses to locate in employment areas.

In the absence of recognition for the permitted private school use at 245 Renfrew Drive, our client is concerned that the proposed Business Park policies fail to conform with the Growth Plan and are not consistent with the Provincial Policy Statement.

February 22, 2013

Page 2

Having had the benefit of a full City public process (including thorough review by City Staff and their outside consultants) and a subsequent review at a Board hearing, it is our client's position that the planning merits and justification for the continued recognition on their property for a private school use has been established. We would respectfully request that Council provide for such recognition and the continued use permission within the City's draft new Official Plan.

Yours truly,

AIRD & BERLIS LLP



Patricia A. Foran

PAF/jad
Encl.

c. E. Manson Investments Limited

14119928.2

Kanji, Teema

From: Bavington, Kitty
Sent: February-25-13 8:20 AM
To: Kanji, Teema; Carroll, Judy; Weatherill, Tannis
Subject: FW: Comments on Draft Markham Official Plan - Humboldt Greensborough Valley Development Ltd
Attachments: 09063-SP-01.pdf

From: Billy Tung [<mailto:BTung@KLMPPlanning.com>]
Sent: February-23-13 7:13 PM
To: Wouters, Margaret; Bavington, Kitty
Cc: James Kennedy; Sandra Wiles; 'Robert Singer'
Subject: Comments on Draft Markham Official Plan - Humboldt Greensborough Valley Development Ltd

Please accept the following comments regarding the New Draft Official Plan as it pertains to Humboldt Greensborough Valley Development Ltd. (File Nos. ZA 10 132122 & SC 10 132123)
 Existing applications for Zoning By-law Amendment and Site Plan Control to permit townhouse development on the east side of Donald Cousens Parkway, north of Castlemore Avenue

Context

- The lands are subject to existing applications for Zoning By-law Amendment and Site Plan Control to permit a proposed townhouse development (Please find attached the submitted Site Plan for your reference).
- The lands are currently designated as "Commercial – Community Amenity Area" in the Town's Official Plan and further designated as "Community Amenity Area – North of ByPass" under the Greensborough Secondary Plan. The designations provide for medium and high density housing subject to the review process of a zoning by-law amendment and development application.
- The Greenbelt is located to the east of the subject lands.
- The limits of development staking was done on a site walk with City and TRCA staff on March 30, 2010 which determined the limit as shown on the submitted applications.
- A public meeting was held on May 10, 2011.

The subject lands are now proposed to be designated and identified in the New Official Plan as follows:

- Map 1 and 3-Greenway system
- Map 4-Greenway system, Rouge Watershed Protection Area, **Greenbelt Plan**
- Map 5-Greenway system
- Map 6-Greenway system, Valleylands and Watercourse Corridors
- Map 7-**Greenbelt Plan Area, Greenbelt Natural Heritage System, Greenbelt Protected Countryside**
- Appendix A – A small portion of the subject lands has been identified as being within a Floodplain, OR 166/06

Comments:

The limit of development was established through the above noted site walk staking exercise and review of the development applications.

The subject lands were never previously part of the Greenbelt Plan and were never subject to any of the policies of that plan. They were subject to the policies of the Greensborough Secondary Plan and the development applications have been under review in accordance with the Secondary Plan policies.

The New Official Plan had added the subject lands into the Greenbelt Plan area (they were previously within the boundary of the Greensborough Secondary Plan area). In addition, the New Draft Official Plan is introducing new Minimum Vegetative Buffer Zones and requirements for various studies to determine the appropriate setbacks for lands adjacent to the Greenway system.

On behalf of the owner, Humboldt Greensborough Valley Development Ltd., we request that the boundary of the developable parcels of land be recognized as the limit of development (ie. there will be no additional setback requirements or buffer requirements, or the need for additional studies for lands which are identified as being within the Greenway system and adjacent to the Greenbelt Plan area.) Furthermore, we request that the existing designation and policies of the Greensborough Secondary Plan applicable to these lands be preserved.

We would be happy to meet with staff to discuss these concerns.

Please notify me of any further Public Meetings regarding the New Official Plan.

Please provide me with notification of the adoption of the New Official Plan.

Regards,

Billy Tung BES, MCIP, RPP
SENIOR PLANNER

KLM PLANNING PARTNERS INC.
Planning | Design | Development

64 Jardin Drive, Unit 1B Concord, Ontario L4K 3P3
T 905.669.4055 (ext. 225) F 905.669.0097 E btung@klmplanning.com W www.klmplanning.com

 Please consider the environment before printing this email

From: Sandra Wiles
Sent: February-13-13 10:56 PM
To: Wouters, Margaret; Kanji, Teema; Bavington, Kitty
Subject: Draft Official Plan comments - request for exceptions in Parts 2, 3 and implementing zoning by-law

We are submitting these comments as the owner of a home which fronts onto Brookbank Court. The portion of the street where our home is located, runs parallel to a proposed Greenway-Valleyland designation in the New Draft Official Plan.

In the current 1987 Official Plan the lands within the Greenway-Valleyland designation are designated as Hazard Lands.

We believe the Greenway-Valleyland designation policies require a minimum vegetative buffer zone adjacent to the Greenway-Valleyland system. The vegetative buffer is subject to a study and would be a minimum of 30m.

The plan of subdivision which our home is located, when registered and developed established the limit of development between the Hazard Land designation and the residential lands, no additional buffer was required or provided for.

The New Draft Official Plan appears to indicate that no development or redevelopment would be permitted in the minimum vegetative buffer zone adjacent to the Greenway-Valleyland designation which is required in the New Draft Official Plan.

The minimum vegetative buffer zone (as we believe would apply to our home/property) would extend 18m into the right of way in front of our home adjacent to the Greenway-Valleyland designation, then an additional 12m onto our property.

In the event of the need to redevelop the property (if the dwelling were destroyed by fire or otherwise), we would want the development rights included in the current approved Official Plan to remain in effect.

Also we understand the policies of the New Draft Official Plan are to be implemented by a new zoning by-law. The current zoning on the property is residential. Any proposed amendment to the zoning by-law to remove the residential zoning on our lands and replace a portion of it with an open space zoning is something we would be opposed to.

If our understanding of the policies included in the New Draft Official Plan is correct we request that an exception be included in Parts 2 and 3 of the New Draft Official Plan to reflect the current situation. We request that the current limit of development of the Hazard Land Designation (Greenway-Valleyland designation in the New Draft Official Plan) be recognized and that the requirement for a minimum vegetative buffer zone and study be deleted.

If our understanding of the policies included in the New Draft Official Plan is incorrect we ask that you provide us with a response outlining the actual policies in the New Draft Official Plan which would allow the current boundary of the Hazard Land designation to remain without the need for a vegetative buffer zone and would allow the current zoning to remain applicable to our lands.

Please advise us of any further Public Meetings regarding the New Draft Official Plan.

Please provide us with notification of the adoption of the New Draft Official Plan.

Thank you.

Bill and Sandra Wiles
28 Brookbank Court
Markham, Ontario
L3P 6K8



140 Renfrew Drive, Suite 201
Markham, Ontario L3R 6B3
Tel: 905-513-0170
Fax: 905-513-0177
www.mgp.ca

January 24, 2013

Marg Wouters, Senior Manager
Policy and Research
City of Markham
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

MGP File: 12-2113

VIA Email: mwouters@markham.ca

Dear Ms. Wouters:

**RE: Comments on New Draft Markham Official Plan (September 2012)
LBS Group- 8651 McCowan Road**

Thank you for meeting with Mr. Jim Maxwell, Lauren Capilongo and me on January 14, 2013 to discuss LBS' concerns with the new draft Official Plan. LBS Group owns 8651 McCowan Road (north of Heritage Road). The site is currently tenanted to Rona.

The purpose of this letter is to formally advise you of our concerns with the new draft Official Plan and to request a site specific exemption in the new Official Plan.

The Current Official Plan designates the property "Commercial- Major Commercial Area". Retail uses (with or without accessory outdoor storage and/or display of merchandise) are permitted.

The new draft Official Plan designates the property "Mixed Use Mid Rise". LBS Group is supportive of this new designation. The Mid Rise Mixed Use designation affords LBS new uses, density and height permissions that, in the long term will transform the area into an urban, higher density, transit oriented, mixed-use environment.

LBS' site is part of a larger block of properties along McCowan Road also proposed to be designated Mixed Use Mid Rise. The block is faced with current redevelopment constraints including uses with no plans to relocate and recent building renovations. We expect redevelopment to be a longer term process. Given this, LBS Group must ensure existing permissions are maintained in the new Official Plan. At our meeting, you noted that existing permissions could be recognized through a site specific exemption in the new official plan. The exemption would apply so long as a retail use remains and should the use cease to exist the Mid Rise Mixed Use polices would apply. LBS supports this approach.

We have reviewed the draft Official Plan, the current Official Plan and site specific zoning permissions applicable to the property. We request the site specific exemption in the draft Official Plan address the following issues:

1. **Requirement for Mixed-Use Development:** The Mixed-Use Mid Rise designation mandates mixed use developments. Policy 8.3.3.1 (d) states "*ensure a mix of uses on large sites by not*

allowing a site to be developed exclusively with residential or non-residential development". The property is currently occupied by a single retail building, tenanted to Rona. We believe this policy would prohibit any future expansion to the existing use. LBS is concerned that should the existing use wish to expand its current operations, or if a new retail use is required, it would not be permitted.

We request the site specific exemption permit retail uses and any future expansion thereto.

2. **Height and Density:** The Mixed-Use Mid Rise designation prescribes a minimum building height of three storey and a density of 1.5 Floor Space Index.

The property is a large retail site with a single storey building and surface parking. The existing building does not meet the minimum prescribed height and density permissions in the new draft Official Plan and it is unlikely that any future retail expansion would comply.

We request the site specific exemption recognize the current non-compliance and exempt any future expansion from compliance with the height and density policies.

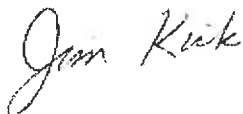
3. **Outdoor Storage.** The current Official Plan designates the property "Commercial-Major Commercial Area. Retail uses with accessory outdoor storage and/or display of merchandise are permitted as of right. The site specific Zoning By-law 168-94 permits outdoor storage (in the rear and side yard provided it is screened from view by an opaque fence not exceeding 3.7 metres).

We note that the draft Official Plan permits outdoor storage subject to an application for zoning bylaw amendment provided a number of criteria are satisfied (as outlined in Section 8.13.6). The draft Official Plan appears to remove the existing as of right permissions for outdoor storage.

We request the site specific exemption continue to permit outdoor storage.

Thank you for the opportunity to provide detailed comments on the new draft Official Plan. We are available to discuss our concerns in greater detail and can provide assistance in preparing the site specific policy.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Jim Kirk, MCIP, RPP
Partner
jkirk@mgp.ca

cc: Jim Maxwell, LBS Group



MMM Group Limited
100 Commerce Valley Drive West
Thornhill, ON Canada L3T 0A1
t: 905.882.1100 | f: 905.882.0055
www.mmm.ca

November 15, 2012

Mr. Jim Baird, MCIP, RPP
Commissioner, Development Services
City of Markham
Markham Civic Centre,
101 Town Centre Boulevard,
Markham, Ontario, L3R 9W3

Dear Mr. Baird,

**RE: Comments on the Draft Markham Official Plan (September 2012)
International Business Consortium
North of Avenue 7 and Stoney Stanton Road, West of Bur Oak Avenue, North and
South of the future Rose Way Extension**

On behalf of International Business Consortium (IBC), MMM Group Limited (MMM) is submitting this letter following the review of the City of Markham's Draft New City-wide Official Plan (October 11, 2012). IBC owns property (subject lands) on the north side of Avenue 7, west of Bur Oak Avenue and within the Cornell Secondary Plan and the Cornell Centre Precinct Plan Area.

It is our understanding that the Draft Official Plan provides city-wide policies to guide growth, land use planning and development approvals in the City of Markham for the next 20 years and that Secondary Plans and Site Specific Policies are still in the process of being updated and will be released at a later date. We have been actively involved in the Cornell Centre Precinct Plan process which will be implemented through an amendment to the Cornell Secondary Plan. The following is a summary of comments relating to the Draft Official Plan (OP) and requests for revisions to the Plan.

1) Natural Heritage Features and TRCA Regulatory Framework

Map 5: Natural Heritage Features and Landforms, Map 6: Hydrological Features, and Map 10: Road Network, identify a "permanent and intermittent stream" located on the north and south side of Avenue 7 between Bur Oak Avenue and Ninth Line, which affects the IBC lands. Further, Appendix A: TRCA Authority Regulatory Framework, identifies a large area within the IBC lands as being within the floodplain and Ontario Regulation 166/06. The features reflected on Map 5, Map 6, Map 10 and Appendix A relate to an existing drainage channel that is to be removed as outlined in the Letter of Intent to Implement Compensation Measures for the Cornell Community (1998), signed by

the Department of Fisheries and Oceans (DFO), Ontario Ministry of Natural Resources, the Toronto and Region Conservation Authority (TRCA), Ontario Streams and the Law Development Group (Cornell) Ltd. Further, we note that this feature is not identified as being part of the "Greenway System" in Map 1: Markham Structure, Map 4: Greenway System or Appendix B: Small Streams and Drainage Features and has not been identified in the Master Environmental Servicing Plan, Secondary Plan or any other study as warranting protection.

We request that Map 5, Map 6, Map 10 and Appendix A be revised to remove the references to "permanent or intermittent stream", floodplain and TRCA regulations under O.Reg 166/06 in the areas subject to the DFO Agreement. If full removal of these features from all related Maps is not possible, we request that a notation be added to Map 5, Map 6, Map 10 and Appendix A of the draft Official Plan, to reflect agreement with DFO regarding the removal of these features.

Note that this stream is also shown on Appendix D: Minor Collector Road Network, and Appendix E: Transportation, Services and Utilities and should be removed from these schedules.

2) Operative Sections of the Official Plan

Official Plan Chapter 1 and Chapter 10, identify the operative portions of the Plan; however we have concern with policies throughout the Official Plan that make reference to non-operative sections or appendices to the Official Plan. Chapter 1 states that:

"Chapters 2 through 10, and maps in Part I, as well as Parts II and III, constitute the operative portions of the Official Plan. [...] appendices are provided for information purposes and are not operative parts of the Official Plan." (Section 1.5, page 1-8)

Chapter 10 (operative section) states:

"That an amendment to this Plan is not required and changes may be made during office consolidations for...: b) updating the base mapping used in this Plan or adding base information to maps to show existing and approved infrastructure" (10.1.5), and

"That the Appendices reflect Council policies and assist with the interpretation of this Plan but do not form part of this Plan and may be updated accordingly without further amendment to this Plan" (10.1.9).

The policies in Chapter 10 indicate that changes can be made to base mapping and to the appendices without an Amendment to the Plan. Policies 3.4.1.3 and 3.4.1.6 reference Appendix A, which according to the interpretation policies, is not considered to be an operative part of the Official Plan. There are other references within policies that reference non-operative portions of the Official Plan, including section 3.3.2.6.

We have concerns with operative policies that make reference to non-operative sections of the Official Plan, for example, appendices. As noted above, the appendices can be revised without

undertaking a formal amendment process; however, once revised, those revisions will have direct policy implications on operative sections of the Plan. We request that references to non-operative portions of the plan be removed from the operative policies. This discrepancy is of particular interest to us given the concerns that we have expressed in part 1 of this letter.

3) Land Use Designations, Height and Density

Mixed Use Health Care Campus

The northern portion of the subject lands are designated as "Mixed Use Health Care Campus" and we note that this designation is to provide for a hospital use as the primary function as well as "complimentary retail, service, office and residential uses related to the hospital function" (section 8.3.6.1 b). These lands are surplus to the needs of the hospital and there is no identified public use for the lands. As a result, we request that this portion of the subject land be removed from the "Mixed Use Health Care Campus" designation. It is our opinion that maintaining this designation will limit future development potential as the land is no longer considered to be needed for the purposes of Health Care. We request that this portion of the subject lands be designated "Mixed Use Mid-Rise" to connect this portion of the subject lands to the Mixed Use Mid-Rise corridor along the east and west sides of Bur Oak Avenue. This designation is also consistent with the Cornell Centre Precinct Plan which identifies Bur Oak Avenue as Cornell's Commercial Core and this portion of subject lands as "Mixed Use/Commercial". We request that the following Maps and Appendices be revised to reflect the revised use on these lands:

- Map 3: Land Use – change portion of the subject lands to "Mixed Use Mid-Rise"
- Appendix C: Community Facilities – remove reference to the subject lands as "Markham Stouffville Hospital"

Mixed Use Mid-Rise

The southern portion of the subject lands that are located on the north side of Avenue 7 are designated as "Mixed Use Mid-Rise" in the Draft Official Plan. It should be generally noted that there is a discrepancy between the site density for Mixed Use Mid-Rise in Section 8.3 (page 8-14) where densities are to be generally in the range of 2.0 FSI and 2.5 FSI and the policy identified in Section 8.3.3.4 where site density is to be in the range of 1.5 to 2.5 FSI. We note that these densities should be consistent with one another.

In relation to the subject site, this designation allows for a minimum height of 3 storeys and a maximum of 12 storeys and between 1.5 and 3.0 FSI as a result of its location within the Cornell Centre "Intensification Area". The proposed FSI and maximum number of storeys for the subject land is consistent with the approved Cornell Secondary Plan; however, it is inconsistent with the Cornell Centre Precinct Plan currently under development. The Precinct Plan proposes that the subject lands in this area be a minimum of 5 storeys and a maximum of 18 storeys with an FSI of 2.5 – 3.5. We request that the draft Official Plan allow for the maximum density and height shown in

the Precinct Plan, resulting in a minimum height of 3 storeys and a maximum height of 18 storeys and a minimum/ maximum FSI of 1.5 – 3.5.

Section 8.3.3 of the Official Plan recognizes that development in these Mixed Use Mid-Rise areas is currently characterized by “mid to large scale retail” and that “over time, the intent is to encourage intensification”. The Official Plan further acknowledges that the transformation “will take place gradually in phases over a number of years.” While the Official Plan recognizes that development in these Mixed Use Mid-Rise areas within the existing built area will take place in a phased manner over a period of time, in the “Future Neighbourhood Area” the Official Plan does not allow for a similar type of development approach. Consistent with our comments on the Precinct Plan, it is our opinion that a provision should be made within the Official Plan which allows for interim single storey commercial uses along the Avenue 7 frontage. This creates the opportunity for development along this corridor in the short term and adaptive redevelopment as time goes on consistent with the direction that Section 8.3.3 provides for areas that are designated Mixed Use Mid Rise within the existing community.

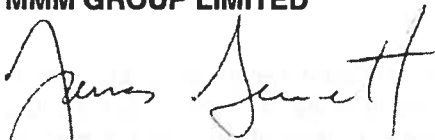
4) Cornell Secondary Plan and Cornell Centre Precinct Plan

References are made to the development of the “Cornell Centre Secondary Plan” in Section 8.3.6 of the Official Plan (i.e., s. 8.3.6.2 and s.8.3.6.3). We would like clarification on the relationship between the ongoing Cornell Centre Precinct Plan process, the approved Cornell Secondary Plan (2008) and the “Cornell Centre Secondary Plan”. It is our understanding that the recommendations in the Precinct Plan will be implemented through an Amendment to the approved Cornell Secondary Plan.

In summary, we appreciate your consideration of our comments on the new Draft Markham Official Plan and are pleased to be part of the Official Plan process. We will continue to provide comments, when appropriate, throughout the Official Plan and proposed Precinct Plan processes. We would appreciate being notified of any meetings relevant to this process. Please contact us should you have any questions or comments in regards to the above-noted comments or related matters.

Yours truly,

MMM GROUP LIMITED

A handwritten signature in black ink, appearing to read "Jamie Bennett".

Jamie Bennett, MCIP, RPP
Senior Planning Manager
Associate Partner

cc: Mr. Firoz Shroff, IBC
Ms. Catherine Jay, Manager, Urban Design, City of Markham



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April 8, 2011

14.09207.001.P01

His Worship Mayor Frank Scarpitti and
Members of Town Council
Town of Markham
101 Town Centre Boulevard
Markham, ON
L3R 9W3

**RE: Town of Markham Official Plan Review Process
Special Meeting of Council (April 12, 2011)**

Your Worship and Members of Council,

MMM Group Limited has been retained by Romandale Farms Limited to represent the interests of its lands in North Markham throughout the land use planning process, including the preparation of the Town's new Official Plan. Our client has been very actively involved in both the Growth Management Strategy undertaken by the Town, and the Region of York's Official Plan review processes, and has provided a number of written and oral submissions with a view to ensuring that its future land use interests are appropriately recognized. Romandale is a member of the North Markham Landowners Group (NMLG).

✓ Romandale owns 210 acres on the south side of Elgin Mills Road, between Warden Avenue and Kennedy Road, which are currently included in the urban boundary expansion area in ROPA 3 and in the Town's Growth Management Strategy, as approved by Council last year.

✓ Romandale also owns the "Snider" Farm, 97 acres west of Warden Avenue, on the north side of Elgin Mills Road. This parcel is also included in the urban boundary in ROPA 3 and the Town's Growth Management Strategy.

✓ In addition Romandale owns the "McGriskin" farm, consisting of 182 acres located to the east of Warden Avenue, on the north side of Elgin Mills Road, between Warden Avenue and Kennedy Road. These lands not included in the currently proposed urban expansion area.

We would like to provide the following for consideration at the Special Meeting of Council on April 12, 2011, as matters to be addressed in the Official Plan review process. These are our client's general concerns with some of the background studies undertaken to date, and the potential implications for the future development of Romandale's lands.

Urban Expansion

In 2010, the Town approved a Growth Management Strategy which proposes future employment lands in the area bounded by Elgin Mills Road to the south, Warden Avenue to the east, the municipal boundary to the north and Berczy Creek/Woodbine Avenue to the west, excluding the Hamlet of Victoria Square. It is my professional opinion that an employment use fronting on Elgin Mills Road, would not constitute good planning, and would undermine the extraordinary and costly efforts that have been made to date to protect the historic nature of the Hamlet of Victoria Square.

These efforts have included significant and extremely expensive infrastructure, in the form of the Woodbine By-Pass, which was funded by the local development community. There were conditions of draft plan approval constituted to limit truck traffic through the Hamlet of Victoria Square related to the development of Cathedraltown on Woodbine Avenue. Designating the lands along Elgin Mills Road, east of Victoria Square for employment purposes will funnel truck traffic through the heart of the Hamlet, causing a need for widening of the Elgin Mills/Woodbine intersection. The By-Pass was created precisely to avoid this widening and protect the historic character of the Hamlet.

As input to the Town's Growth Management process, the NMLG provided the Town with a Land Needs Analysis Report which included a proposed urban boundary expansion for North Markham to 2031. This plan shows the area along the north side of Elgin Mills Road, east of Berczy Creek to Warden Avenue and on the south side of Elgin Mills, east of Warden as "Community Amenity Area" (residential). The intent of this designation is to provide a transition area between the existing Hamlet of Victoria Square and the proposed employment lands to the north along Highway 404 and south of 19th Avenue. In addition, the NMLG report suggests that the lands outside of the proposed urban boundary expansion area in the remaining "whitebelt" be designated "Future Urban" to implement the policy direction in *Places to Grow* and preserve lands for urban growth.

We look forward to opportunities to discuss the merits of this land use approach with the Town as part of the Official Plan review process.

Greenways System

The Town has undertaken work related to an enhanced greenways system which is intended to be incorporated into the Official Plan review process. This proposed system has identified additional lands on the north and south sides of Elgin Mills Road, which are to be added to the existing greenways system, including a plantation of non-native species on our client's lands. The "designation" of these lands as part of an enhanced greenway system has not been properly justified from an environmental perspective. Field research has been undertaken by qualified ecologists which does not support inclusion of these lands in the greenways system.

It is important to note that the "whitebelt" lands in North Markham are intended to be the next urbanized area to meet growth needs in York Region through the creation of complete communities. Leaving aside the lack of ecological merit, the proposed greenway system would create fragmentation between future development areas, thus making it difficult to create sustainable, compact and complete communities.

In addition, significant amounts of Romandale's lands are already protected for environmental purposes; they are subject to the Province's Greenbelt Legislation and Plan. Sufficient east-west linkages have already been preserved. Also, a short distance to the north is the vast reserve of the Oak Ridges Moraine.

We would like to thank you for the opportunity to provide our preliminary input into this process and request that we be notified of all future meetings related to this matter and be circulated on any staff reports, decisions, etc. If you have any questions, please feel free to contact the undersigned.

Yours truly,



Diana Santo, MCIP, RPP
Senior Planning Director
Planning & Environmental Design

Cc John Livey, Town of Markham
Jim Baird, Town of Markham
Tim Lambe, Town of Markham
Helen Roman-Barber, Romandale Farms Ltd
Michael Melling, Davies Howe Partners LLP
Don Given, Malone Given Parsons Limited

AIRD & BERLIS LLP

Barristers and Solicitors

Patricia A. Foran
Direct: 416.865.3425
E-mail: pforan@airdberlis.com

November 1, 2012

Our File No. 110524

BY EMAIL

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

Attention: Judy Carroll, Clerk's Department

Dear Ms. Carroll:

**Re: City of Markham's New Draft Official Plan – Cornell Centre – Proposed
Business Park and Business Park Office Priority Designations
Public Meeting and Open House scheduled for November 6, 2012
Our Client: Lindvest Properties (Cornell) Limited**

We are the solicitors for Lindvest Properties (Cornell) Limited. As Council is aware, our client is a major landowner in the Cornell Secondary Plan area. We write respecting their lands located in the block east of Bur Oak Avenue, south of Highway 7, west of Donald Cousens Parkway, and adjacent to Highway 407 to the south (the "Subject Lands"). A location map indicating our client's landholdings for purposes of this correspondence is enclosed. The draft Official Plan proposes to designate these lands as "Business Park", "Business Park Office Priority", "Residential High Rise", and "Greenway" as shown on Map 3 – Land Use.

Our client is currently reviewing the details of the draft Official Plan and related schedules and appendices. We note, however, that the draft Official Plan document circulated by the City contains only Part 1 and does not contain any of the secondary plans that are proposed to be incorporated within the Official Plan. It is not clear whether Staff will be proposing amendments to the secondary plans prior to their inclusion in the City's new Official Plan. In the absence of this detail, it is not possible for our client to complete its review and to finalize a full set of comments, which our client intends to submit to the City in respect of the draft Official Plan. Accordingly, we would appreciate clarification as to the intent regarding the incorporation of existing secondary plans and we reserve our client's rights to provide further comments once a full copy of the Plan is made available to the public for review and comment.

Based upon a preliminary review of Part 1 of the Plan, our client anticipates that changes to the proposed designations for the Subject Lands will be required to better reflect our client's vision for the development of the Subject Lands. Our client has applied to the City of Markham for a Pre-consultation Meeting and we expect that our client will be filing an

November 1, 2012

Page 2

application shortly to formalize the details of its request for changes to the designations proposed for the Subject Lands in the draft Official Plan.

In summary, our client will be proposing to introduce a mixed use community that will reconfigure the proposed uses in the new draft Official Plan to create a more balanced and vibrant community within the Subject Lands. The community will continue to incorporate employment land uses that will be concentrated at the eastern portion of the Subject Lands, immediately adjacent to Donald Cousens Parkway and proximate to the lands designated "Future Employment Area", which are located further to the east. In focusing employment uses along Donald Cousens Parkway, a higher employment density can be realized permitting the balance of the lands further west in this block to be used for mixed-uses and residential purposes. Our client's vision is in keeping with the Provincial policies that encourage intensification in a compact form, and a mix of uses and densities that aim to use land, infrastructure, and public service facilities in a more efficient manner.

Our client has assembled an expert consulting team who have provided input into this proposal. We are requesting that Council direct Staff to meet with our client and their team to discuss how best to accommodate this proposal under the new Official Plan as it proceeds.

In addition to the foregoing, our client notes that the proposed Greenway identification for the Subject Lands on Maps 3 and 4 is not correct and does not reflect up-to-date information and discussions with the TRCA and City Staff. As part of our client's discussions with Staff, we will be requesting that they provide Council with a more accurate depiction of the Greenway on these lands.

Our client looks forward to working with the City to implement this request in the Official Plan prior to adoption.

Yours truly,

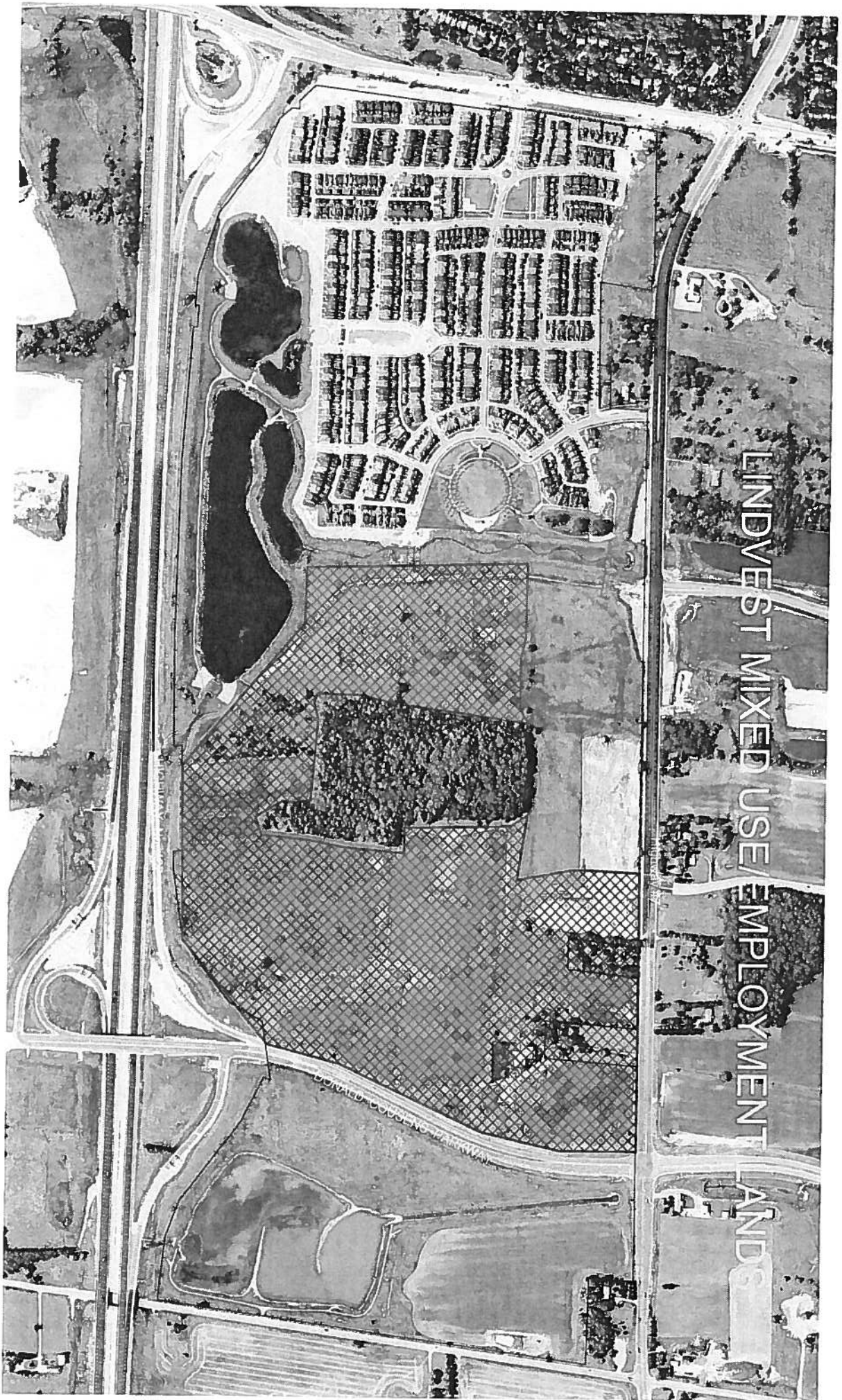
AIRD & BERLIS LLP


Patricia A. Foran

PAF/jad
Encl.

c. Lindvest Properties (Cornell) Limited

13395881.2



LINDVEST MIXED USE/EMPLOYMENT LANDS

November 2, 2012

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 08-1792

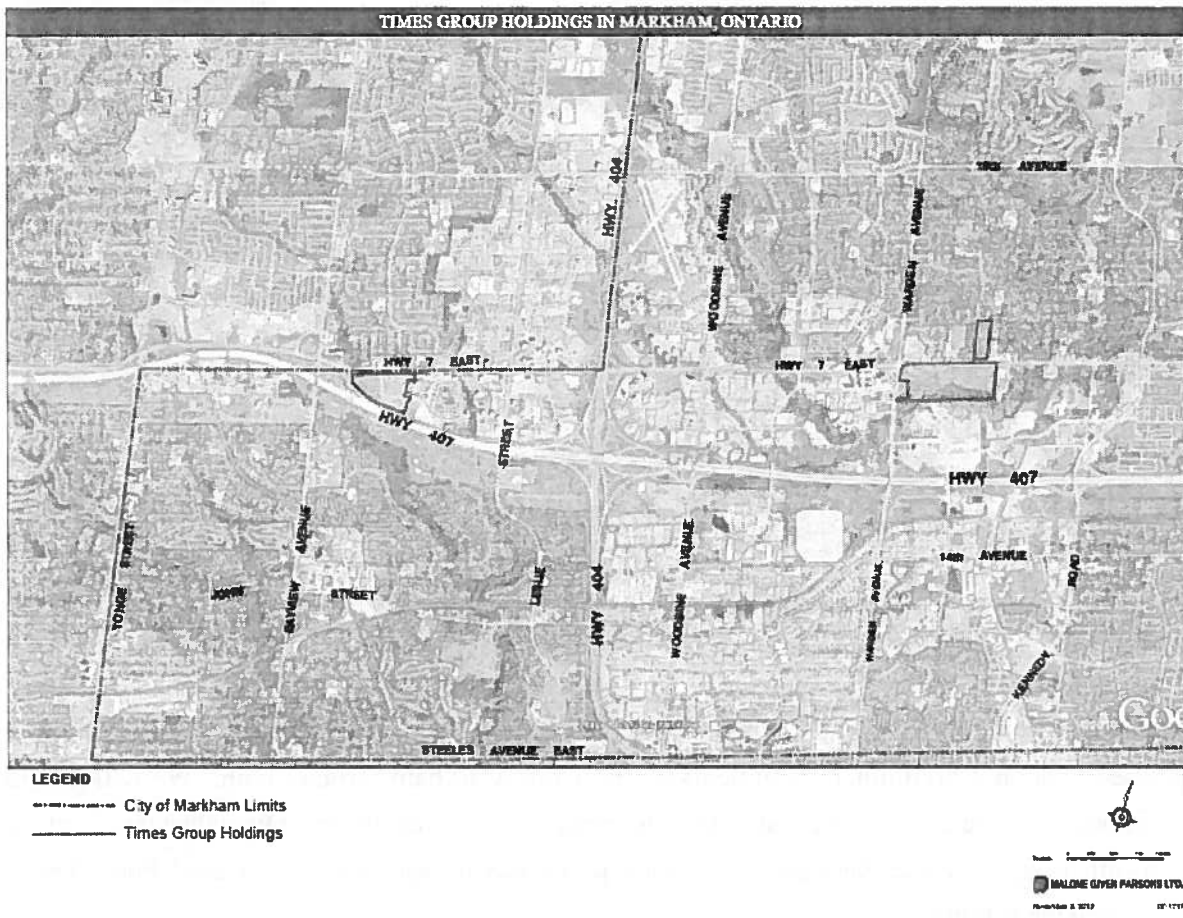
Attention: Margaret Wouters, Senior Manager, Policy and Research

Dear Ms. Wouters;

**RE: Comments on City of Markham Draft Official Plan
Times Group Corporation**

Malone Given Parsons Ltd., on behalf of the Times Group Corporation (Times Group), is pleased to submit preliminary comments on the Draft Markham Official Plan. We will provide additional comments once we have had an opportunity to review the OP with our client and consultant team. Times Group owns several properties in Markham (see Aerial Photo below) including the following:

- Almost 90 acres in Markham Centre (Markham Uptown), at the south-east corner of Highway 7 and Warden Avenue;
- Approximately 11 acres at the northeast corner of Highway 7 and Village Parkway;
- More than 20 acres in the Leitchcroft community, west of the Galleria development, on the south side of Highway 7, east of Bayview Ave.



Times Group supports the City in their new Official Plan initiative, we believe that the new OP will bring into effect many of the same intensification and smart growth policies that Times Group supports through its development projects.

Times Group Comments on the draft Official Plan

On behalf of Times Group, we have reviewed the draft Official Plan and provide the following comments and concerns:

- The affordable housing policies (Section 4.1.3) lack the detail required with regards to implementation. Clarity is required in the requirements for high-density developments, especially surrounding the notion of ‘family-sized’ units. We are also concerned with the requirement for ‘housing statements’ which apply only to mid and high-rise development;
- The parks and open space acquisition policies (Section 4.3.5) and parkland dedication policies (9.8.2). The City is currently conducting a review of these policies separate from

the OP process. In addition, Times Group position is that the parkland policies are overly onerous on high-density development and serve as a disincentive to intensification and compact development;

- Specifically in regard to the Leitchcroft lands, which we believe should be re-designated for a range and mix of uses, the employment land policies (Section 5.1);
- The retail policies (Section 5.1.7) are overly restrictive to retail development throughout the City, as is the definition of major retail, and how it is/will be applied;
- The Residential policies (Section 8.2) and Mixed Use policies (8.3), specifically the mid-rise and high-rise policies, densities, heights and development criteria;

Times Group is also concerned with the implementation of the draft Official Plan, specifically in the Markham Centre area, where it appears that the Markham Centre Secondary Plan is to be ‘carried forward’. Additional clarity on how the draft OP may apply to Markham Centre and to recent approvals therein, is required.

In the Leitchcroft community, Times Group owns a property at the south-east corner of Highway 7 and Saddlecreek Drive. This property is currently designated ‘Commercial - Community Amenity Area’, which permits a wide range of uses. The draft OP proposed to reduce that range of uses and instead designate the property ‘Employment Area – Business Park Office Priority’.

Times Group is very concerned with the proposed redesignation of these lands from an open and flexible Community Amenity designation (mixed use) to an Employment designation.

We believe that the conversion in designations amounts to a downgrading of the permissions on the property and Times Group is opposed to any designation which serves to remove the flexibility for future development on the site.

We understand that Markham will be holding a number of meetings and open houses in the coming months to review and discuss the New Official Plan. On behalf of Times Group, we would like to request a meeting with staff to further review and discuss our concerns in detail.

TO: Marg Wouters, City of Markham
RE: Times Group – Comments on the Draft Markham Official Plan

November 2, 2012

Thank you for the opportunity to input to the draft Markham Official Plan process. I look forward to discussing our requests with City Staff. Please contact me at your convenience at 905.513.0170 to arrange a meeting.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Nick Pileggi MCIP, RPP
Principal
npileggi@mgp.ca

cc: Clerks Department, City of Markham
Hashem Ghadaki/Shadi Aghaei, Times Group
Ira Kagan, Kagan Shastri
Danielle Chin, BILD



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 Tel: 905-513-0170
 Fax: 905-513-0177
 www.mgp.ca

April 8, 2011

Town of Markham
 Clerk's Department
 101 Town Centre Boulevard
 Markham, ON
 L3R 9W3

MGP File: 08-1792

Via Email: judycarroll@markham.ca

Dear Mayor Scarpitti and Members of Council:

**RE: April 12, 2011 Special Meeting of Council - Official Plan Review
 Times Group Corp., Leitchcroft property**

Malone Given Parsons is planning consultant for Times Group Corp., owners of lands in Leitchcroft at the south side of Hwy 7 east of Bayview Ave. We have corresponded previously to advise the Town of our client's intent to propose mixed use residential, office and commercial development on the vacant lands at the west side of the Leitchcroft community.

The notice of Special Council Meeting on April 12, 2011 refers to, among other things, the Council endorsed growth alternative to 2031. The Town has identified the subject lands as a key development area. Key Development areas are typically along existing or planned transit corridors, with existing infrastructure that makes them candidates for intensification and redevelopment. In analysing the new OP, we feel it is important for the Town to pay special attention to the Leitchcroft community and consider a mix of residential and commercial uses on the subject lands.

We also ask that you add Malone Given Parsons to the list for future notifications regarding the OP review.

We thank you for the opportunity to provide initial comments on the Town's new Official Plan.

Yours very truly,
MALONE GIVEN PARSONS LTD.

Nick Pileggi, MCIP, RPP
 Principal
 npileggi@mgp.ca

Attachments: March 17, 2009 letter to Town of Markham (Jim Baird)
 April 3, 2009 letter to Town of Markham (Jim Baird)

cc: Hashem Ghadaki, Times Group Corporation
 Ira Kagan, Kagan Shastri LLP
 J. Carroll, Town of Markham Clerks Department

Teema 52



AUGUSTA

Augusta National Inc., Queens 400 Executive Offices, 178 Main Street, Unionville, Ontario L3R 2G9
Telephone: (905) 944-9709 Fax: (905) 944-9710 Cellular: (416) 464-0145 E-Mail: everard@rogers.com

November 7, 2012.

Ms. Marg Wouters, RPP.,
Senior Manager, Policy & Research,
Planning and Urban Design Department,
The Corporation of the City of Markham.

DEVELOPMENT SERVICES
NOV 12 2012
RECEIVED

Dear Ms. Wouters:

Re: Sections 17 and 26, The Planning Act,
Tuesday, November 6, 2012, Public Meeting 'new' Official Plan,
Part of Lot 31, Concession 4, Town of Markham (98.83 acres)

Please be advised, that the urban planning consulting firm, Augusta National Inc., acts on behalf of Catholic Cemeteries Archdiocese of Toronto ('CCAT'), registered owners of the subject lands. The property is located at the northeast corner of Woodbine Avenue / 19'th Avenue.

Further to our attendance at the Public Meeting on November 6, 2012, concerning Markham's 'new' Official Plan, please be advised, that 'CCAT' objects to the proposed 'Employment Area' land use designation. Save and except for those lands designated as 'Greenway System', we request an 'Institutional' designation on the balance of the site to permit the development of a cemetery.

Roman Catholics are the largest religious denomination within the City comprising approximately 42% of the overall population. 'CCAT' acquired the property on August 15, 1997, to facilitate the development of a cemetery that will satisfy the future essential community needs of the Roman Catholic population of the City of Markham

'CCAT' is a registered non-profit charity currently selling inground burial plots for approximately \$1,750 at Holy Cross and Christ the King Cemeteries. Exorbitant acquisition costs for any alternate lands designated as 'Countryside' or within the proposed urban boundary designated as 'Future Neighbourhood' or 'Residential' will result in the sale of inground burial plots approximating \$8,000.

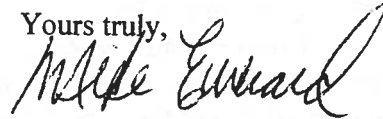
Within the 2031 term of the 'new' Official Plan, Holy Cross Cemetery will reach full capacity for inground burials. To this end, City Council's adoption of the 'new' Official Plan scheduled for the first quarter of 2013, will eliminate inground burial as an affordable option to all of Markham's Roman Catholics. Accordingly, this extreme demand may only be satisfied through cemetery development on the north side of

Langstaff Road East, west of Bayview Avenue, across from the soon to be constructed Holy Cross Catholic Funeral Home.

We look forward to a mutually convenient meeting in your office to discuss this matter in greater detail.

Thank you for your consideration in this matter.

Yours truly,

A handwritten signature in black ink that reads "Mike Everard". The signature is written in a cursive style with a large, sweeping initial "M".

Mike Everard, M.Sc., RPP.,
Principal.

Copy: Mr. R. Hayes, Executive Director, 'CCAT'.



52

Augusta National Inc., Queens 400 Executive Offices, 178 Main Street, Unionville, Ontario L3R 2G9
Telephone: (905) 944-9709 Fax: (905) 944-9710 Cellular: (416) 464-0145 E-Mail: everard@rogers.com

April 13, 2011.

Mr. Tim Lambe, RPP.,
Manager, Policy & Research,
Planning and Urban Design Department,
The Corporation of the Town of Markham.

Dear Mr. Lambe:

Re: Section 26, The Planning Act,
Special Meeting of Town Council,
Part of Lot 31, Concession 4, Town of Markham (98.83 acres)

Please be advised, that the urban planning consulting firm, Augusta National Inc., acts on behalf of Catholic Cemeteries Archdiocese of Toronto ('CCAT'), registered owners of the subject lands. The property is located at the northeast corner of Woodbine Avenue / 19th Avenue.

Further to our attendance at the Public Meeting on April 13, 2011, concerning Markham's New Official Plan, please be advised, that 'CCAT' objects to the proposed land use designation as 'Employment Area'.

'CCAT' acquired the property on August 15, 1997, to facilitate the development of a cemetery that will satisfy the future essential community needs of the Roman Catholic population of the Town of Markham. Save and except for those lands designated as 'Greenway System', we require an 'Institutional' designation on the balance of the site to permit the development of a cemetery.

To this end, we request that an additional 100+/- acres of 'Employment' lands be so designated to offset the 'Institutional' lands required by 'CCAT'.

Thank you for your consideration in this matter.

Yours truly,

Mike Everard, M.Sc., RPP.,
Principal.

Copy: Mr. R. Hayes, 'CCAT'.



THE CORPORATION OF THE CITY OF MARKHAM

**EXCERPT CONTAINING ITEM #0018 OF THE DEVELOPMENT SERVICES COMMITTEE
(December 06, 11)**

**18. DEVELOPMENT CONCEPT SOUTH SIDE OF 14TH AVENUE EAST OF MIDDLEFIELD
ROAD (10.0)**

Paul Stagl and Frank Mauro made a brief presentation of the development concept for a mix of business, residential, and park use on the 32 hectare subject property, owned by Mr. Mauro and Neamsby Investments. They requested the lands be referred to staff as part of the Official Plan review. Discussions included the potential to achieve a Platinum LEED residential subdivision.

Stephen Chait, Director of Economic Development, provided comments on the principle of protecting employment land and suggested the proposal be examined in the context of the Official Plan.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Logan Kanapathi

That the presentation regarding Development Concept – South Side of 14th Avenue, East of

Middlefield Road be received and referred to staff for consideration in the context of the Town of Markham Official Plan Review.

CARRIED

ADJOURNMENT

The Development Services Committee meeting adjourned at 2:15 PM.

Alternate formats for this document are available upon request.



5A

Project No. 10136

April 4, 2011

Kimberley Kitteringham, Town Clerk
Town of Markham
Markham Civic Centre
110 Town Centre Boulevard
Markham, Ontario L3R 9W3

Dear Ms. Kitteringham:

**Re: *Town of Markham Official Plan Review Process
1 Steelcase Road***

On behalf of our clients, Liberty Development Corporation and 2145312 Ontario Inc., we are writing to advise of our interest in the Town's Official Plan Review process in respect of redevelopment plans for the property at 1 Steelcase Road.

In conjunction with our client and its development team, we have been studying options for the redevelopment of the property with a mix of intensified employment uses, including office, service and retail uses.

As the redevelopment plans are refined, we anticipate providing a full submission to the Town so that the proposal may be considered in the context of the Official Plan Review process.

In the meantime, please ensure that we are added to the mailing list for any upcoming meetings regarding the Official Plan Review. Thank you for your assistance in this regard.

Yours very truly,

Bousfields Inc.

Peter F. Smith B.E.S., MCIP, RPP

PFS/kah:jobs

cc: *Lezlie Phillips, Liberty Development Corporation
Barry Horosko, Bratty and Partners LLP
Jim Baird, Commissioner of Development Services*



BOUSFIELDS INC.

54

November 6, 2012

Project No. 10136

Ms. Judy Carroll
City of Markham, Clerk's Department
Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

Dear Ms. Carroll,

**Re: Draft City of Markham Official Plan
Regarding 1 Steelcase Road West**

We are planning consultants to 2145312 Ontario Inc. with respect to the above-noted property. On their behalf, we wish to submit the following comments regarding the Draft City of Markham Official Plan.

Our clients have submitted an application for Official Plan Amendment and rezoning for the property in order to permit a mixed-use employment centre on the lands. As submitted, the overall proposal for the site would include a total of 125,660 square metres of employment floor area, including 60,820 square metres of retail commercial space, 63,360 square metres of office/hotel space and 1,480 square metres of free-standing restaurant space. Part of the requested Official Plan Amendment involves the redesignation of the rear portion of the subject property from *General Industrial Area* to *Business Corridor Area*, recognizing that a single *Business Corridor Area* designation would recognize the fact that the site is controlled by a single owner and is proposed for development as an integrated development that would involve the adaptive re-use of an existing building that spans the full depth of the site.

We note that the Draft Official Plan proposes to designate the front portion of the property as *Business Park* and the rear portion of the property as *General Employment*. We would request that the Draft Official Plan recognize any approvals that result from the consideration of the foregoing application to amend the current Official Plan. In particular, we would request that the property be included within an employment land use designation which would include the permissions noted above.

We trust that the foregoing is satisfactory for your purposes, however, if you have any questions, please do not hesitate to contact me or Louis Tinker of our office.

Yours very truly,
Bousfields Inc.

Peter F. Smith, MCIP, RPP

PFS/kah:jobs

cc: Lezlie Phillips, Liberty Development Corporation

53

STIKEMAN ELLIOTT

Stikeman Elliott LLP Barristers & Solicitors

5300 Commerce Court West, 199 Bay Street, Toronto, Canada M5L 1B9
Tel: (416) 869-5500 Fax: (416) 947-0866 www.stikeman.com

Direct: (416) 869-5690
E-mail: JHarbell@stikeman.com

BY E-MAIL
judycarroll@markham.ca

November 2, 2012
File No.: 122567.1008

Clerks Department
Markham Civic Centre, Main Floor
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W3

Attention: Judy Carroll, City Clerk's Department

Dear Sirs/Mesdames:

**Re: Development Services Committee
November 6, 2012
Statutory Public Meeting re Markham's draft Official Plan
(Part I): John St. Holdings Inc. - 2851 John Street, City of
Markham**

We represent John St. Holdings Inc., the landowner of the property located at 2851 John Street, Markham (the "Property"). We understand that a statutory public meeting for Part I of the City of Markham's draft Official Plan (the "Draft OP") will be held at the November 6th, 2012 Development Services Committee meeting and we are taking this opportunity to submit our client's comments and concerns regarding the retail permissions proposed in the Draft OP, for your consideration.

Current Official Plan Policy Regarding Retail in a Business Corridor Area

The Property is located immediately south west of the intersection of John Street and Woodbine Avenue. In the in-force City of Markham Official Plan (the "OP"), the Property has a Business Corridor Area land use designation, which is an Industrial land use designation. Current retail permissions in the Business Corridor Area allow for the following, according to section 3.5.6.3 of the OP:

- Lands designated INDUSTRIAL (Business Corridor Area) may be approved to permit the following retail uses, if demonstrated to be consistent with the planned function, subject to the review of a specific development proposal and rezoning, pursuant to the provisions of this Plan and any implementing Secondary Plan:

TORONTO
MONTRÉAL
OTTAWA
CALGARY
VANCOUVER
NEW YORK
LONDON
SYDNEY

- A mixed-use centre combining multiple unit retail development containing individual retail premises of less than 300 square metres gross floor area with other permitted uses, provided that the centre shall generally be a multi-storey building, the centre shall generally be located on a site adjoining an intersection with an arterial or collector road, and the total gross floor area devoted to retail uses shall generally not exceed the total gross floor area devoted to other permitted uses.
- Retail uses shall be limited to individual premises having generally not less than 300 square metres of gross floor area and having not more than 1,000 square metres of gross floor area with the exception of computer and office supply stores which may be up to a maximum of 3,000 square metres of gross floor area.

Alongside the above permissions, the OP contains discretionary requirements for additional study to analyze large scale retail proposals, which are described as "retail premises each in excess of 10,000 square metres of gross leasable area or a group of concurrently proposed retail developments in the same vicinity, where the total gross leasable area of retail is in excess of 30,000 square metres" in section 3.4.4.5 of the OP.

Current OP policy acknowledges that retail is a complementary land use in a Business Corridor Area, particularly along an arterial road such as Woodbine Avenue. A range of retail formats are encouraged within this land use designation provided the appropriate supporting documentation and studies are provided in a planning application.

Proposed Policy in the Draft OP and Restrictions on Retail Development

The Draft OP proposes a Service Employment land use designation for the Property, which is an Employment land use designation. Proposed retail permissions in the Service Employment include the following according to the Draft OP:

- Retail uses are permitted so long as they are "*ancillary uses*", defined as "small-scale retail and commercial uses that primarily serve the business functions on lands designated Employment Lands in this Plan" and are not "*major retail*", which is defined as "retail big box stores, retail warehouses and shopping centres, as identified in the York Region Official Plan, with individual premises exceeding 1,000 square metres of gross floor area and/or the combined gross floor area devoted to retail in all premises on a property exceeding 3,000 square metres";
- Retail uses are permitted within a multiple-unit building, where the combined gross floor area devoted to all retail uses is limited

to a maximum of 50 percent of the total gross floor area of the building.

As noted above, non-*“ancillary uses”* and *“major retail”* are generally prohibited in the Service Employment land use designation: any proposed retail premises above 1000 square metres requires an application as part of a *“municipal comprehensive review”* to be considered in an Employment designation. A *“municipal comprehensive review”* is defined in section 10 of the draft OP as a “an official plan review or an official plan amendment, initiated by Markham, in consultation with the Region, that comprehensively applies the policies and schedules of the York Region Official Plan and the provincial Growth Plan for the Greater Golden Horseshoe”. Furthermore, a computer and office supply store previously permitted on the Property would be prohibited as a *“major retail”* use according to the Draft OP. It appears that the retail permissions within a Service Employment land use designation are considerably more restrictive and application requirements are significantly more onerous than in the current Business Corridor Area land use designation in the OP. In particular, an applicant cannot initiate a *“municipal comprehensive review”* to seek permission for certain forms of retail in the Service Employment Designation, but must await a City initiated Official Plan Review (mandated every 5 years) or a City initiated Official Plan Amendment.

The proposed policy applicable to the Service Employment land use designation is unclear with respect to the maximum permitted retail gross floor area in a multiple-unit building. Clarification is required on whether or not the total gross floor area, not representing more than 50% of the gross floor area of the building, can exceed 3,000 square metres, or whether this would be considered *“major retail”* and, therefore, prohibited.

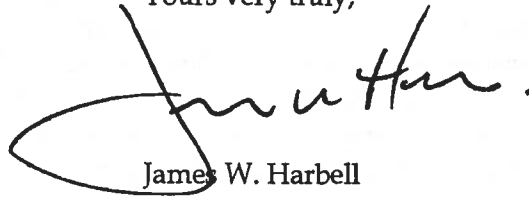
The proposed Service Employment land use designation should allow greater flexibility for a variety of retail formats, whether through discretionary requirements for additional study or rezoning applications, consistent with current OP policy, or a broader consideration of retail formats that complement the planned function of this land use designation. The requirements for a *“municipal comprehensive review”* when any non-*“ancillary use”* or *“major retail”* use is proposed in the Service Employment designation appear unduly restrictive and onerous.

Concluding Remarks

For these reasons and for others that we may raise in the future, or that a future owner of the Property may raise into the future, Part I of the Draft OP is problematic as it relates to new restrictions on retail development on the Property.

We trust that you will find the above to be of assistance in your consideration of this matter. We would be pleased to discuss any of the above issues further with City staff. Should you have any questions or require any further information please contact me.

Yours very truly,

A handwritten signature in black ink, appearing to read "James W. Harbell". The signature is written in a cursive style with a large, looping initial "J".

James W. Harbell

JWH/aad

cc. Michael Cooperman, *John St. Holdings Inc.*
Paolo Rovazzi, *John St. Holdings Inc.*
David McKay, *MHBC Planning*

STIKEMAN ELLIOTT

Stikeman Elliott LLP Barristers & Solicitors

5300 Commerce Court West, 199 Bay Street, Toronto, Canada M5L 1B9
Tel: (416) 869-5500 Fax: (416) 947-0866 www.stikeman.com

Direct: (416) 869-5690
E-mail: JHarbell@stikeman.com

BY E-MAIL
judycarroll@markham.ca

November 2, 2012
File No.: 122567.1008

Clerks Department
Markham Civic Centre, Main Floor
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W3

Attention: Judy Carroll, City Clerk's Department

Dear Sirs/Mesdames:

**Re: Development Services Committee
November 6, 2012
Statutory Public Meeting re Markham's draft Official Plan
(Part I): Woodbine Road Developments Inc. - 7390 - 7400
Woodbine Avenue, City of Markham**

We represent Woodbine Road Developments Inc., the landowner of the property located at 7390-7400 Woodbine Avenue, Markham (the "Property"). We understand that a statutory public meeting for Part I of the City of Markham's draft Official Plan (the "Draft OP") will be held at the November 6th, 2012 Development Services Committee meeting and we are taking this opportunity to submit our client's comments and concerns regarding the retail policy and environmental systems policy proposed in the Draft OP, for your consideration.

Current Official Plan Policy Regarding Retail in a Business Corridor Area

The Property is located south west of the intersection of John Street and Woodbine Avenue. In the in-force City of Markham Official Plan (the "OP"), the Property has a Business Corridor Area land use designation, which is an Industrial land use designation. Current retail permissions in the Business Corridor Area allow for the following, according to section 3.5.6.3 of the OP:

- Lands designated INDUSTRIAL (Business Corridor Area) may be approved to permit the following retail uses, if demonstrated to be consistent with the planned function, subject to the review of a

TORONTO

MONTRÉAL

OTTAWA

CALGARY

VANCOUVER

NEW YORK

LONDON

SYDNEY

specific development proposal and rezoning, pursuant to the provisions of this Plan and any implementing Secondary Plan:

- A mixed-use centre combining multiple unit retail development containing individual retail premises of less than 300 square metres gross floor area with other permitted uses, provided that the centre shall generally be a multi-storey building, the centre shall generally be located on a site adjoining an intersection with an arterial or collector road, and the total gross floor area devoted to retail uses shall generally not exceed the total gross floor area devoted to other permitted uses.
- Retail uses shall be limited to individual premises having generally not less than 300 square metres of gross floor area and having not more than 1,000 square metres of gross floor area with the exception of computer and office supply stores which may be up to a maximum of 3,000 square metres of gross floor area.

Alongside the above permissions, the OP contains discretionary requirements for additional study to analyze large scale retail proposals, which are described as "retail premises each in excess of 10,000 square metres of gross leasable area or a group of concurrently proposed retail developments in the same vicinity, where the total gross leasable area of retail is in excess of 30,000 square metres" in section 3.4.4.5 of the OP.

Current OP policy acknowledges that retail is a complementary land use in a Business Corridor Area, particularly along an arterial road such as Woodbine Avenue. A range of retail formats are encouraged within this land use designation provided the appropriate supporting documentation and studies are provided in a planning application.

Proposed Policy in the Draft OP and Restrictions on Retail Development

The Draft OP proposes a Service Employment land use designation for the Property, which is an Employment land use designation. Proposed retail permissions in the Service Employment include the following according to the Draft OP:

- Retail uses are permitted so long as they are "*ancillary uses*", defined as "small-scale retail and commercial uses that primarily serve the business functions on lands designated Employment Lands in this Plan" and are not "*major retail*", which is defined as "retail big box stores, retail warehouses and shopping centres, as identified in the York Region Official Plan, with individual premises exceeding 1,000 square metres of gross floor area and/or the combined gross floor area devoted to retail in all premises on a property exceeding 3,000 square metres";

- Retail uses are permitted within a multiple-unit building, where the combined gross floor area devoted to all retail uses is limited to a maximum of 50 percent of the total gross floor area of the building.

As noted above, non-*“ancillary uses”* and *“major retail”* are generally prohibited in the Service Employment land use designation: any proposed retail premises above 1000 square metres requires an application as part of a *“municipal comprehensive review”* to be considered in an Employment designation. A *“municipal comprehensive review”* is defined in section 10 of the draft OP as a *“an official plan review or an official plan amendment, initiated by Markham, in consultation with the Region, that comprehensively applies the policies and schedules of the York Region Official Plan and the provincial Growth Plan for the Greater Golden Horseshoe”*. Furthermore, a computer and office supply store previously permitted on the Property would be prohibited as a *“major retail”* use according to the Draft OP. It appears that the retail permissions within a Service Employment land use designation are considerably more restrictive and application requirements are significantly more onerous than in the current Business Corridor Area land use designation in the OP. In particular, an applicant cannot initiate a *“municipal comprehensive review”* to seek permission for certain forms of retail in the Service Employment Designation, but must await a City initiated Official Plan Review (mandated every 5 years) or a City initiated Official Plan Amendment.

The proposed policy applicable to the Service Employment land use designation is unclear with respect to the maximum permitted retail gross floor area in a multiple-unit building. Clarification is required on whether or not the total gross floor area, not representing more than 50% of the gross floor area of the building, can exceed 3,000 square metres, or whether this would be considered *“major retail”* and, therefore, prohibited.

The proposed Service Employment land use designation should allow greater flexibility for a variety of retail formats, whether through discretionary requirements for additional study or rezoning applications, consistent with current OP policy, or a broader consideration of retail formats that complement the planned function of this land use designation. The requirements for a *“municipal comprehensive review”* when any non-*“ancillary use”* or *“major retail”* use is proposed in the Service Employment designation appear unduly restrictive and onerous.

Current Official Plan Policy Regarding Flood Vulnerable Areas

The OP does not contain a map outlining flood vulnerable areas in the City of Markham, but rather states under section 3.10.1 that the *“Hazard Land”* designation includes *“all lands within the Regulatory Flood Lines or the stable or predicted stable slope lines defined by the Toronto and Region Conservation Authority, whichever is greater, but excluding lands identified as Special Policy Area on Schedule ‘A’ - Land Use”*.

Proposed Policy in the Draft OP Regarding Flood Vulnerable Areas

The Draft OP contains a map (Appendix A) illustrating "flood vulnerable areas" which include areas such as the Cummer Creek Floodplain Area and the Rouge River north of Warden Avenue Area. It appears as though a portion of the Property is within the Cummer Creek Floodplain Area. There is no corresponding mapping identifying this floodplain area in the OP.

Policy associated with Appendix A of the Draft OP states the following under section 3.4.1.16:

...It is the policy of Council: To work with the Toronto and Region Conservation Authority, other agencies and landowners to:

- c) Allow minor development, *redevelopment* or *site alteration* within *flood vulnerable areas* subject to the one zone flood plain management policies of the Toronto and Region Conservation Authority.

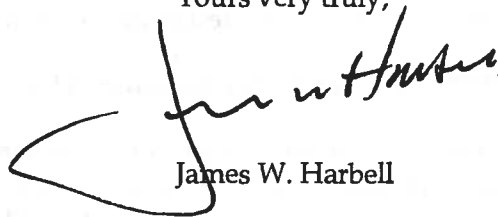
The above-noted policy is of concern due to the undefined term "minor development" and the associated ambiguity regarding the future development permissions on a property within a "flood vulnerable area".

Concluding Remarks

For these reasons and for others that we may raise in the future, or that a future owner of the Property may raise into the future, Part I of the Draft OP is problematic as it relates to new restrictions on retail development on the Property and the ambiguous implications of the new "flood vulnerable area" designation which appears to apply to a portion of the Property.

We trust that you will find the above to be of assistance in your consideration of this matter. We would be pleased to discuss any of the above issues further with City staff. Should you have any questions or require any further information please contact me.

Yours very truly,



James W. Harbell

JWH/aad

- cc. Michael Cooperman, *Woodbine Road Developments Inc.*
- Paolo Rovazzi, *Woodbine Road Developments Inc.*
- David McKay, *MHBC Planning*

MAJORWOOD

DEVELOPMENTS INC.

88 Sheppard Avenue W, Suite 200
Toronto ON M2N 1M5
tel 416.250.5858
fax 416.250.5860

December 12, 2012

VIA E-MAIL

To: mwouters@markham.ca

To: esilva-stewart@markham.ca

Ms. Marg Wouters
Senior Manager
Policy and Research
Planning & Urban Design Department
City of Markham
101 Town Centre Boulevard
Markham ON L3R 9W3

Dear Ms. Wouters:

**Re: Markham's New Draft Official Plan
Majorwood Developments Inc. Site
Markland Street/Major Mackenzie Drive**

Thank you for meeting with us on December 5, 2012, to discuss various issues regarding our site.

Two fundamental take-aways from our meeting were: an EA update on the proposed roadway from Planning; and a site-specific request regarding the new draft Official Plan from Majorwood.

This letter addresses both of these matters.

A. Proposed Roadway

This refers to the proposed road connection from Hwy.404 at Major Mackenzie Drive to Markland Street identified in OPA 123 as one of two "Potential Links" (the other at Elgin Mills Road).

In our case, this potential link more or less bisects our land; two parcels result which may be identified as east (± 3.4 acres) and west (± 6.9 acres).

Majorwood worked directly with Markham and Loblaw's (our immediate neighbour) throughout the City's EA process to establish a realistic function for this roadway; not only must it provide for the 404/Major Mackenzie traffic, it must also allow access to Majorwood and Loblaw's lands.

We provided Markham with an Internal Functional Traffic Design Study prepared by URS Canada Inc. in 2008 to support our position.

The City agreed; the EA report states:

The proposed road extension would provide an opportunity for direct access to the development in the Business Corridor of the Cathedral Community from Highway 404 (it should be noted that the Town supports future access to the adjacent properties along the proposed Highway 404 exit ramp extension, the details of future access will be finalized during the Site Plan approval process and is subject to MTO approval).

We were advised recently by City staff, however, that MTO did not accept the City's EA. Following our meeting of last week, Mr. Karumanchery has confirmed that MTO requires that no southbound traffic will be permitted.

The MTO position is problematic for us by at least three measures:

1. the "no southbound" restriction places significant access limitations on our land, particularly the west parcel; should MTO impose any further restrictions when detailed site plans are proposed, the west parcel may become virtually land-locked, severely compromising its development potential;
2. the current zoning on most of our land is BC(H3); the holding provision is a condition precedent that relates specifically to the roadway; given the MTO position, we are unable to proceed in any event;
3. it is uncertain what the resolution of the roadway will be or when it will take place; we are concerned that this will not keep pace with your current Official Plan process, which could place our plans in further jeopardy.

B. Majorwood's Site-Specific Request

Current Official Plan

The current Official Plan designation on our land, and Loblaws' as well, is Business Corridor (BC). The lands immediately north of us are designated Business Park (BP); we believe this is an important delineation which illustrates the linkage we have to the south (rather than the north) regarding the planned function of the entire north-west quadrant.

Permitted uses in the BC designation include, among others:

- offices;
- financial institutions;
- service uses;
- restaurants, subject to certain conditions;
- retail uses, subject to certain conditions.

Current Zoning

The current zoning on most of our land is BC(H3). We have attached a sketch which indicates our zoning and the proposed roadway. We have also attached the permitted uses.

Part of our land was rezoned MJC 294 during the Loblaw's OMB appeal. Together with the proposed roadway, this creates the following blocks (all areas are ± in acres):

- | | | |
|--------------------|---|-------------|
| - West BC(H3) | - | 6.9 |
| - East BC(H3) | - | <u>1.1</u> |
| - Total BC(H3) | - | <u>8.0</u> |
| | | |
| - East MJC | - | 2.3 |
| - Proposed Roadway | - | <u>0.9</u> |
| - Total Majorwood | - | <u>11.2</u> |

The current zoning permits, among others, the following uses:

- offices;
- financial institutions;
- service uses;
- restaurants, subject to certain conditions;
- retail uses, subject to certain conditions.

Given the existing Official Plan and zoning by-law guidance, we are of the view that our land functions as a site-specific location which acts as a transition between the BP and MJC lands to the north and south respectively.

New Draft Official Plan

Markham's new draft Official Plan designates our land Service Employment. Lands to the north remain Business Park while Loblaw's to the south are now Commercial. We believe that these proposals reflect, reinforce and retain the existing transitional location and nature of our land.

The new draft Official Plan states:

The 'Service Employment' designation applies to lands that are planned and developed for service and retail uses together with light industrial and warehousing and small office uses that are dispersed within an overall mix of uses. Service employment uses are generally located within a variety of building forms and configurations such as multi, use, single-storey buildings with multiple units that are modest in scale.

The 'Service Employment' designation applies to lands located along arterial or collector roads that are easily accessible to nearby businesses and in some cases adjacent to 'Residential' areas, and to lands in older developed industrial areas that have evolved to accommodate a wider range of uses. The corridor locations typically adjoin and are accessible from the larger established employment areas that they serve. Many of the 'Service Employment' areas are located near or on rail corridors.

Lands designated 'Service Employment' are intended to accommodate uses that are servicing and supportive of other business uses and employees in Markham, but that are not typically located in other 'Employment Lands'. Some of these uses may also serve residents, and therefore benefit from their transit accessible corridor locations or proximity to 'Residential' areas.

It is our view that the Majorwood site is well characterized by the above descriptions.

Further, our existing zoning permissions dovetail perfectly to support the City's proposed designation. For example, permitted uses in the Service Employment designation include, among others:

- offices;
- financial institutions;
- service uses;
- restaurants, as "discretionary uses";
- retail uses, subject to certain conditions.

Key conditions set out in the new draft Official Plan for retail are that it not be "major retail" and that it not exceed 50% total gross floor area.

While we endorse Service Employment as an overall guiding designation, we respectfully disagree with the proposed qualifiers regarding restaurants and retail uses.

We submit that restaurants should be permitted as of right in our Service Employment designation.

Restaurants have throughout contemporary planning history been permitted in “industrial” – now “employment” – designations; they have always been viewed as a natural component in these locations. Also, restaurants are permitted in our existing BC designation.

With regard to “major retail”, we feel there may be an underlying inconsistency between the proposed definition and the reality on the ground. For example, the definition includes “shopping centres”; the Service Employment policies, however, describe “... a variety of building forms and configurations such as multi-use, single storey buildings with multiple units ...”.

Furthermore, the proposed “major retail” limit of 1,000 square meters per use seems overly restrictive. In our experience, retail big box or warehouse formats would be typically 10,000 square meters or more. By comparison, stores between 1,000 and 3,000 square meters are not necessarily a big box or warehouse, as end users constantly explore new formats.

Similarly, the proposed 3,000 square meter collective limit seems overly restrictive. The 3,000 square meter standard is but a third the size of our suggested 10,000 square meter single use threshold. As well, the actual impact of retail is often over-stated relative to the complete package of uses on these types of sites.

Our experience is that most retail centres do, in fact, present a wide range of non-retail uses. The proposed 50% retail limit, however, creates an arbitrary standard without regard for site-specific and market conditions. Whether or not the retail element is greater or less than 50% of total GFA is immaterial in this type of location; the success of the project will be determined by its ability to serve the market.

As a result, the need to place limits on the retail component of our Service Employment designation is, in our view, not warranted.

To summarize, we respectfully submit that:

1. the undetermined fate of the proposed roadway is a serious limitation on our land and, as such, we need specific direction from the City on how to proceed;
2. the current Official Plan and zoning permit a wide range of uses which we believe should be maintained to support the transitional planned function of our site;
3. the proposed Service Employment designation is acceptable to us, since we believe that it supports and continues our current circumstances, provided that the standards proposed for restaurants, individual retail units, collective building areas and proportionate limits are deleted from our site-specific designation.

6...

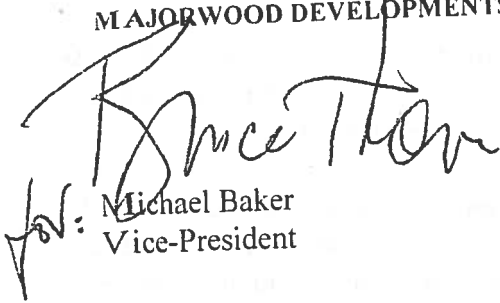
We would be pleased to meet with you again to discuss these matters in more detail.

Should you require any further information or clarification, do not hesitate to contact us.

We look forward to hearing from you.

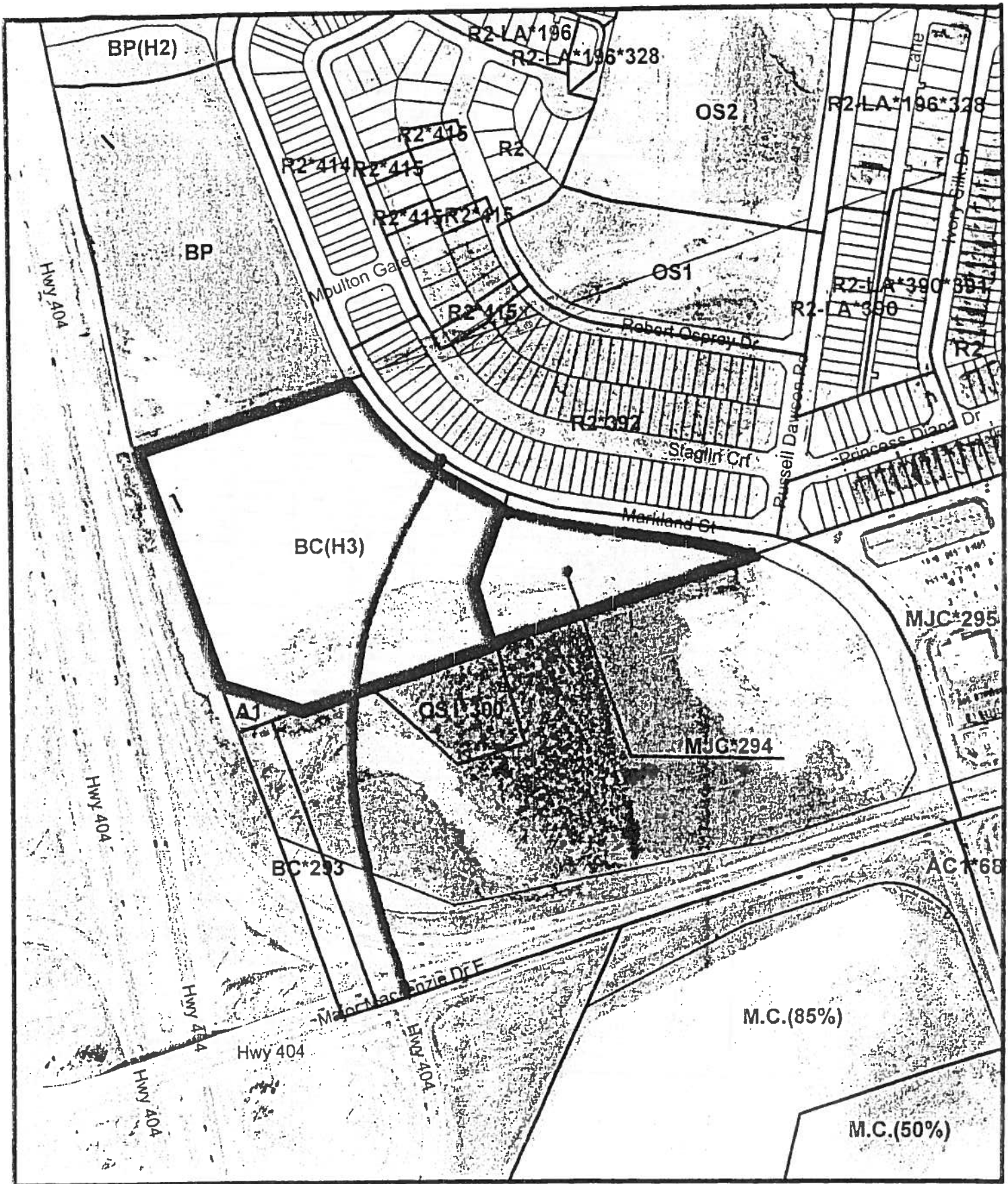
Yours truly,

MAJORWOOD DEVELOPMENTS INC.

A handwritten signature in black ink, appearing to read "Michael Baker". The signature is written in a cursive, flowing style. To the left of the signature, there is a small handwritten mark that looks like "MB".

Michael Baker
Vice-President

MB:bk
Attach.



Majorwood Developments
Markland Street

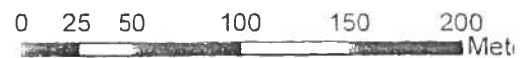


TABLE A4 - EMPLOYMENT ZONES
PERMITTED USES

ZONE USE		BP	BC	GI
			X	
A	Art Galleries	X(3)	X(3)	
B	Banquet Halls	X	X	X
C	Business and Medical Offices		X	X
D	Commercial Fitness Centres	X	X	X
E	Commercial Parking Lots	X	X	X
F	Data Processing and Related Facilities	X	X	
G	Day Nurseries	X(1)	X	
H	Financial Institutions	X	X	
I	Hotels	X(2)(4)	X(2)(4)	X(2)(4)(8)
J	Industrial Uses		X	
K	Libraries		X	
L	Motels	X	X	X
M	Municipal Parking Lots		X	
N	Non-Profit Fitness Centres	X(7)	X(7)	X(7)
O	Parking Garages	X	X	
P	Parks, Public	X(1)(4)	X	
Q	Personal Service Shops		X	
R	Places of Worship		X	X
S	Private Clubs	X	X	X
T	Public Transit System		X	
U	Recreational Establishments	X(1)	X(6)	
V	Restaurants		X(6)	
W	Restaurants, Take-Out	X(1)(4)	X(5)	
X	Retail Stores		X	
Y	Schools, Commercial	X	X	
Z	Trade and Convention Centres	X	X	X
Aa	Transit Stations		X	
Bb	Veterinary Clinics		X	

SPECIAL PROVISIONS (L)

1	Permitted only in the <i>first storey</i> of an <i>office building</i> or at any location within a <i>building</i> containing a <i>hotel</i> and/or a <i>trade and convention facility</i> provided the use is <i>Accessory</i> to the <i>hotel</i> or the <i>trade and convention centre</i> use.
2	An <i>accessory retail store</i> in which goods produced and/or stored in a <i>building</i> containing an <i>industrial use</i> is permitted provided the <i>retail store</i> has a <i>net floor area</i> that does not exceed the lesser of 300 square metres or 10 percent of the <i>net floor area</i> of the <i>building</i> containing the <i>industrial use</i> .
3	Permitted only within a <i>hotel</i> or a <i>building</i> containing a <i>trade and convention facility</i> .
4	<i>Outdoor storage</i> and <i>outdoor display and sales</i> are not permitted.
5	The minimum <i>net floor area</i> required is 300 square metres and the maximum <i>net floor area</i> permitted is 6000 square metres.
6	Permitted as an <i>accessory use</i> only in an <i>office building</i> , a <i>hotel</i> , a <i>trade and convention centre</i> or a <i>building</i> containing <i>recreational establishments</i> .
7	Any portion of a <i>parking garage</i> that is unenclosed is not permitted within 50 metres of the <i>Highway 7 streetline</i> .
8	<i>Outdoor storage</i> shall be permitted in the <i>General Industrial (GI) Zone</i> subject to the following provisions: a) <i>outdoor storage</i> shall be permitted only in a <i>rear yard</i> and not closer than 9.0 metres to any <i>streetline</i> ; b) the <i>height</i> of stored materials shall not exceed 4.5 metres; c) <i>outdoor storage</i> shall be screened by opaque fencing with a minimum <i>height</i> of 2.75 metres; and, d) <i>outdoor storage</i> is not permitted within any <i>yard</i> adjoining a <i>residential zone</i> boundary.

MAJORWOOD

DEVELOPMENTS INC.

200 Bridgeland Avenue
Toronto ON M6A 1Z4
tel 416.785.8172
fax 416.781.2981

November 1, 2012

VIA E-MAIL

TO: judycarroll@markham.ca and

TO: esilva-stewart@markham.ca

Chair & Members
Development Services Committee
City of Markham
101 Town Centre Boulevard
Markham ON L3R 9W3

Dear Sirs/Mesdames:

**Re: Markham's New Official Plan
Open House & Public Meeting
November 6, 2012**

Majorwood Developments Inc. is the registered owner of certain lands located between Highway 404 and Markland Street immediately north of the Loblaws property fronting on Major Mackenzie Drive.

These lands are currently zoned under By-law 2006-179 which includes certain retail permissions.

These lands are currently designated Business Corridor; the new Official Plan proposes a new designation, Service Employment.

There is considerable history in this quadrant dating back to 2005. Over the intervening time, Majorwood has been in regular contact with City staff and appeared before Development Services Committee.

The basis of our concern is that we strongly oppose any change to the Official Plan designation or zoning on our property. We remain concerned that the proposed Service Employment designation may fetter our existing land use rights.

For these reasons, we object without prejudice to any change in our Official Plan designation or to any general or specific Official Plan policies which may apply to our lands.

It is our intention to continue to meet with City staff to try and resolve our concerns. Staff have advised us that a second public meeting is to be held in January, 2013, and we hope to have a satisfactory resolution by that time.

Thank you for your consideration.

Yours truly,
MAJORWOOD DEVELOPMENTS INC.



for: Michael Baker
Vice-President
MB:bk

November 6, 2012

DELIVERED BY E-MAIL

Brian T. Parker
Direct 416-369-7248
brian.parker@gowlings.com
File No. T021580002

Mayor and Members of Council
City of Markham
Markham Civic Centre, Council Chambers,
101 Towncentre Blvd.
Markham, Ontario L3R 9W3

Dear Mayor and Members of Council:

Re: 8050 Woodbine Avenue: Belfield Investments Inc.: Public Meeting - Draft Official Plan

We are the solicitors on behalf of Belfield Investments Inc. ("Belfield"), the owners of approximately 8 acres of property situated at the north-west corner of Burncrest Drive and Woodbine Avenue, municipally known as 8050 Woodbine Avenue (the "Property"). We will not be in attendance at this evening's public meeting but we would ask that this letter form part of the public record for Council's information.

Since 1973 the Property has been under provincial jurisdiction pursuant to the Parkway Belt West Plan (the "Plan"). In February, 2011, Belfield filed applications to the Minister of Municipal Affairs requesting that the Property be removed from the Plan on the basis that all of the infrastructure imperatives contemplated by the Plan have been implemented and therefore the continued need to retain the Property under the Plan's control was not necessary.

Ministerial circulation of Belfield's application yielded no negative comments however Council's position was that the removal of the Property from the Plan should not proceed unless, or until such time as there are new municipal planning instruments in place to take over. It is in this policy context that this letter is submitted; Belfield continues to be in discussion with planning staff to put in place proper municipal planning instruments that will permit the Minister to make a final decision on the applications before it.

The draft Markham Official Plan (the "Official Plan") is proposing an Employment – Business Park designation for the Property. Conceptually, Belfield does not have an issue with this designation; however, it does not entirely reflect the historical Industrial M4 zoning of the Property which in addition to certain industrial uses, permits as primary uses, a range of service commercial uses which are intended to serve the surrounding industrial areas.

Had the Property not been under the control of the Plan since 1973, we firmly believe that the form of Official Plan designation for the lands would be the same form as that which the Plan is reinstating for similar Woodbine fronting parcels in the vicinity, that is, a split designation permitting Service Employment (formerly Business Corridor) uses along the Woodbine frontage.

We believe that a split designation of Service Employment and Business Park is reasonable in the circumstances; it acknowledges the historical zoning rights attributed to the Property, and moreover, it is complementary to the approved Woodbine/Rodick Transitway Station (the "Station") which will immediately abut the Property on the east side of Woodbine Avenue. As noted in MTO's Final Report dated December, 2010, the Station will be fully integrated; it will serve as a regional inter-modal station for passengers transferring between the 407 Transitway and other bus services including TTC and YRT. The Plan designates Woodbine Avenue as a Regional Transit Priority.

In summary, Belfield will be requesting that planning staff consider a split Employment designation for the Property in recognition of the Property's historical zoning, and in the spirit of the Region's Transit Oriented Development Guidelines, recognizing the approved location of the Woodbine Rodick Station, opposite.

Planning staff are aware of Belfield's position as outlined herein, and our understanding is that staff are prepared to meet and discuss this matter further. We appreciate staff's assistance to date and we trust that a satisfactory resolution can be arrived at. On behalf of Belfield, thank you for your consideration of this letter and we will keep Council apprised as we move forward.

Sincerely,

GOWLING LAFLEUR HENDERSON LLP



Brian T. Parker

BTP:jam

cc: Belfield Investments Inc.

Margaret Wouters

TOR_LAW\8033018\1

Aldo Vettese
10 Rubicon Court
North York, Ontario
M2M 3P8

November 15,
2012



Re: property (owned by Vetmar Ltd.) at 11,050 Woodbine Ave. - between Elgin Mills Road and 19th Avenue immediately east of hwy 404

Attention: Elizabeth Silva-Stewart

I am enclosing a map of the Vetmar property and the surrounding area. Vetmar's property is indicated by the number 15. The draft official plan shows A15 (northeast of street A and Woodbine Bypass) as general employment. I believe that business park (as indicated in the enclosed plan) is a better use for the property.

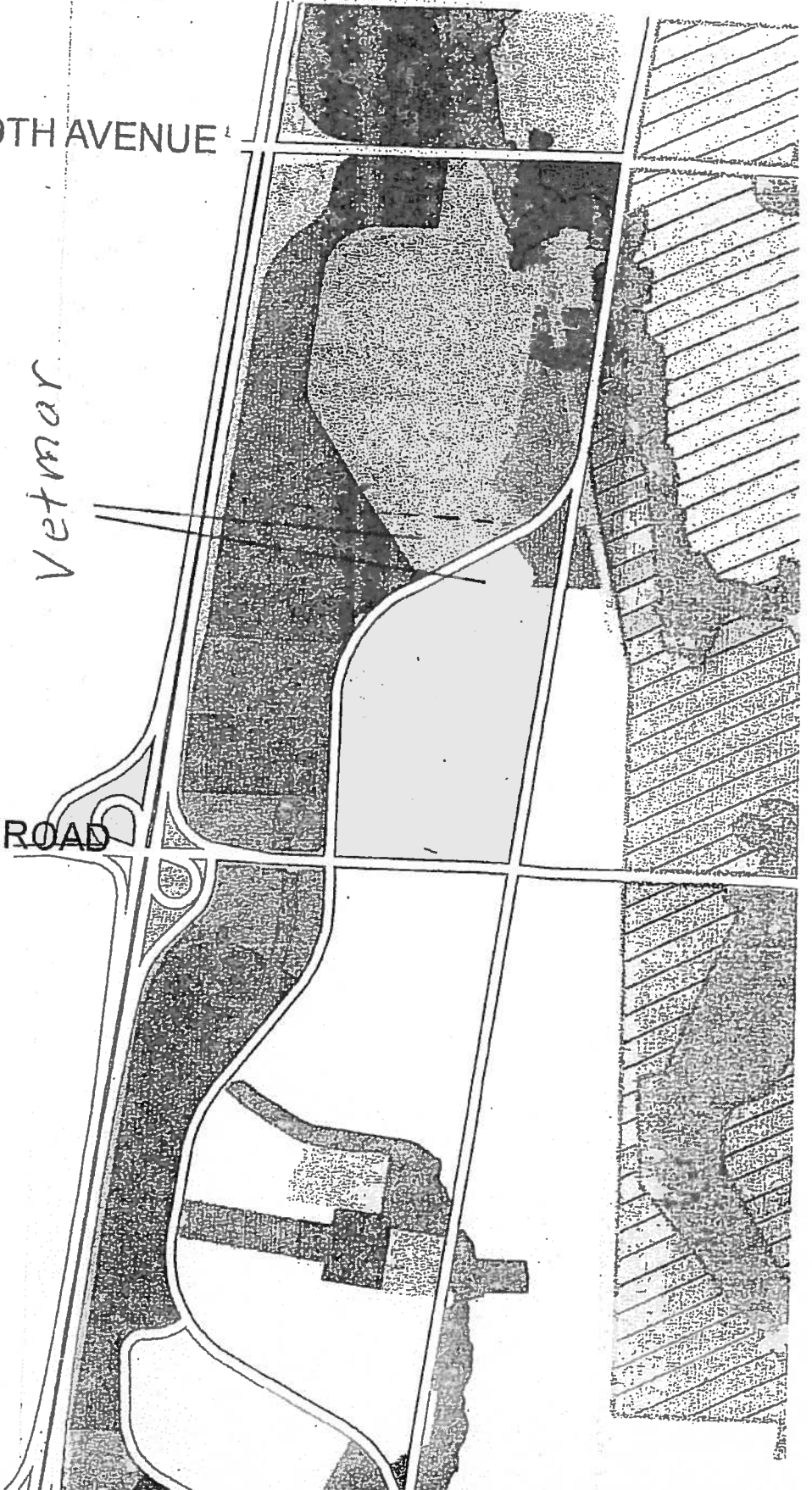
The people who purchase their homes in the Bishop's Gate subdvn. were expecting office buildings and some retail across the street rather than manufacturing and warehousing. And Vetmar financed the construction of the bypass (east of street A, or Honda Boulevard) on the assumption that A15 and B15 would be designated Business Park. If you are agreeable to changing the general employment are back to Business park, could you send an email to my sister Sandra. Her E-mail address is Sandra.Vettese@mercedes-benz.c

thanks, Aldo Vettese
Vetmar Ltd

19TH AVENUE

Vetmar

ELGIN MILLS ROAD





Legend

	Business Park Area
	Business Corridor Area
	Community Amenity Area
	Residential - Low Density
	SWMP
	Environmental Protection
	Transportation & Utilities

**DEVELOPMENT PLAN
 FOR OPA 149
 HIGHWAY 404 NORTH
 SECONDARY PLAN AREA
 TOWN OF MARKHAM**

**Gatzios Planning +
 Development Consultants Inc.**

NOTE:
 This Development Plan and Local Road Network are conceptual only.
 It is not to be considered a legal document. It is for demonstration purposes only.

Legend

	OPA 149 Boundary
	Trans Canada Pipeline
	Participating Landowners
	Phasing Boundaries
Roads	
	Region of York Roads
	Town of Markham Roads

PREPARED BY: 404 North Landowners Group
 DATE: November 30, 2010



September 21, 2012

Rino Mostacci, MCIP, RPP,
Director of Planning & Urban Design,
Development Services Commission,
Town of Markham,
Anthony Roman Centre,
101 Town Centre Blvd.,
Markham, ON, L3R 9W3

**RE: Planning Justification for Redesignation to Business
Park Area for Part Lot 1 & 2, Concession 3, Town of
Markham, Regional Municipality of York**

Dear Mr. Mostacci:

SREIT (Markham) Ltd. is the owner of an assembly of industrial buildings generally located as a complex of integrated buildings on Idema Road and Steelcase Road in the Town of Markham. In 2010, SREIT (Markham) Ltd. was acquired by KingSett Capital and its joint venture partner as part of the larger ING Industrial portfolio sale. We wish to participate in your current Official Plan Review and it is our desire to have the lands redesignated from General Industrial to Business Park Area as part of this planning exercise. It is our intent to upgrade and intensify the existing industrial uses over the long term. The following planning justification has been prepared in support of this request.

1.0 Introduction

SREIT (Markham) Ltd. owns 23.07 acres of employment land located at the northeast quadrant of Highway 404 and Steeles Avenue, which is accessed from Idema Road and Steelcase Road West via Woodbine Avenue to the east. The assembly includes nine parcels of land, which contain fourteen existing industrial buildings located at 115, 145, 161, 207, 227, 247, 267, and 297 Idema Road and 41, 57, 67, 77, 87, and 96 Steelcase Road (see attached survey plan). The lands are legally described as Part 1- Plan of Survey of Part of Lots 1 and 2, Concession 3 Town of Markham, Regional Municipality of York.

The lands are currently occupied by fourteen single storey industrial buildings with an existing density of development of 0.34 FSI. Generally this older industrial development no longer fulfills all of the needs of contemporary industrial areas, which require appropriate site circulation and loading for large transport trucks. The building configurations and placement are such that employment intensification of this site would not be possible without redevelopment nor is it appropriately configured to accommodate intensified general manufacturing and warehousing uses.

1.1 Purpose

The purpose of this letter is to request a review of the current General Industrial designation on the subject lands in the context of the Town's Official Plan Review. The site is appropriate to consider for higher order, more intensive employment uses and a broader range of employment uses given the current public policy context, and proximity and exposure to Highway 404 and existing and proposed adjacent land uses. The remainder of this report outlines the rationale for this request in further detail.

2.0 Public Policy Context

2.1 Provincial Policy Statement

The Province of Ontario issued a new Provincial Policy Statement (PPS) in 2005, which provides policy direction on planning matters related to issues of provincial interest. Changes to the Planning Act require that all decisions affecting planning matters "shall be consistent with" the PPS.

The relevant sections of the PPS are set out below as it applies to the subject site:

1.1 *Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns.*

1.1.1 *Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;*
- g) ensuring that necessary infrastructure and public services are or will be available to meet current and projected needs.*

1.1.2 *Sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time*

horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:
 - 1. efficiently use land and resources;*
 - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and /or uneconomical expansion; and*
 - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and**
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.*

1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.

1.3 Employment Areas

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) planning for, protecting and preserving employment areas for current and future uses; and*
- d) ensuring the necessary infrastructure is provided to support current and projected needs.*

1.3.2 Planning authorities may permit conversion of lands within employment area to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.6 Infrastructure and Public Service Facilities

1.6.2 The use of existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities.

1.6.5 Transportation Systems

1.6.5.2 *Efficient use shall be made of existing and planned infrastructure.*

1.6.5.4 *A land use pattern, density and mix of uses should be promoted that minimizes the length and number of vehicle trips and supports the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus.*

1.6.6 Transportation and Infrastructure Corridors

1.6.6.2 *Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.*

1.7 Long-Term Economic Prosperity

1.7.1 *Long-term economic prosperity should be supported by:*
a) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities

The proposal for the subject lands to provide for employment intensification is consistent with the PPS with regard to promoting efficient development and land use patterns including a desirable mix of higher order employment uses in an appropriate location adjacent to a major regional infrastructure corridor (Highway 404). Intensification of the subject site would:

- Be within the current settlement boundary and thus promote the efficient use of land;
- Would continue to provide for employment uses with the potential for intensification of employment and more compact urban form;
- Would provide for a wider range of economic activities and ancillary uses than is currently provided by the existing designation and zoning;
- Would preserve an employment area for current and future businesses;
- Would optimize the use of existing infrastructure; and,
- Provides uses that are complementary to the Highway 404 transportation corridor and the regional exposure it affords and do not negatively affect the use of the corridor for its identified purpose.

2.2 Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") was approved by Cabinet effective on June 16, 2006, and applies to the subject site.

In terms of Managing Growth (2.2.2) the Growth Plan provides that population and employment growth will be accommodated by:

- *Directing a significant portion of new growth to the built-up areas of the community through intensification (2.2.2.1.a)*
- *Ensuring the availability of sufficient land for employment to accommodate forecasted growth to support the GGH's economic competitiveness (2.2.1.f)*

The General Intensification (2.2.3) policies of the Growth Plan:

- *encourage intensification generally through out the built-up area (2.2.3.6.b)*
- *facilitate and promote intensification*

The relevant Employment Lands policies (2.2.6) are outlined below:

1. *An adequate supply of lands providing locations for a variety of appropriate employment uses will be maintained to accommodate the growth forecasts in Schedule 3.*
2. *Municipalities will promote economic development and competitiveness by-*
 - a) *Providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs*
 - b) *Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses*
 - c) *Planning for, protecting and preserving employment areas for current and future uses*
 - d) *Ensuring the necessary infrastructure is provided to support current and forecasted employment needs (2.2.6.2)*
9. *Municipalities are encouraged to designate and reserve lands within settlement areas in the vicinity of existing major highway interchanges, ports, rail yards and airports for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate.*

3.2.4 *Moving Goods*

5. *The planning and design of highway corridors, and the land use designations along these corridors, will support the policies of this Plan, in particular that development is directed to settlement areas, in accordance with policy 2.2.2.1(i).*

The subject proposal supports the principles and policies of the Growth Plan through the introduction of higher order and more intensive employment uses that will contribute to the achievement of the Town's employment targets, is located within the settlement area and adjacent to a major transportation corridor that affords regional exposure and accessibility. The proposed redevelopment of the area will assist in upgrading the existing servicing infrastructure needed to support intensification.

2.3 Region of York Official Plan

The Region of York Official Plan was adopted by Regional Council in December 2009 and approved with modifications by the Ministry of Municipal Affairs and Housing on September 7, 2010. The ROP is currently under appeal by various private interests and is before the Ontario Municipal Board. The Region is seeking to bring portions of the ROP into effect, however, this will not include the Employment policies at this time. It is understood that the proposed Employment policies represent the preferred policy provision of the Region although some fine-tuning may occur as part of settlement discussions or a hearing.

Section 4.3 Protecting Employment Lands provides for the ongoing viability of employment lands to accommodate industrial and business uses and establishes the relevant policies to consider in the context of the proposal on the subject lands:

2. *To recognize that employment lands are strategic and vital to the Regional economy and are major drivers of economic activity in the Region.*
4. *To protect, maintain and enhance the long term viability of all employment lands designated in local municipal official plans for employment uses.*
5. *To protect strategic employment lands, including lands identified in Figure 2. These lands are identified based on their proximity to existing or planned 400-series highways and shall be designated for employment land uses in local municipal official plans.*
6. *To require local municipalities to give priority to the strategic employment lands identified in Figure 2 when considering additional employment land designations.*
17. *To require flexible and adaptable employment lands that include street patterns and building design and siting that allow for redevelopment and intensification.*

The subject lands are considered in the context of the Regional Official Plan to be strategic by virtue of their location adjacent to the Highway 404 Corridor. These high visibility employment lands offer unique opportunities within the Region and Town to attract higher order employment uses than are currently provided for under the General Industrial designation in the Town's Official Plan described in Section 3.3 below. The current industrial uses and configuration of buildings and lots does not provide adequate opportunities for

intensification nor does the range of uses provide for an optimum and healthy employment area. In order to enhance the viability of these employment lands a more prestigious employment designation such as a Business Park type of designation would be needed to broaden the range and intensity of uses within this high exposure transportation corridor.

2.4 Markham Official Plan

The subject site is designated General Industrial in the Consolidated Official Plan (2008) and is part of the South Don Mills Industrial Area.

The planned function of the General Industrial designation is:

“To accommodate industrial activities related to manufacturing, processing, repair and servicing, warehousing, and similar such uses. In recognition of changes that are occurring and will continue to occur in the industrial sector, the category also provides for complementary uses to serve employees and business needs. Certain forms of accessory retailing and other commercial activities can also be accommodated.”

This designation is applied to areas where industrial activity is intended to predominate, generally at interior locations in industrial areas.

Land use permissions include:

- industrial uses;
- data processing and related uses;
- commercial “self-storage” warehouses;
- office uses ancillary to a permitted primary use, subject to conditions;
- accessory factory sales/service outlets (within an enclosed building and clearly accessory and incidental to a permitted industrial use);
- service uses consistent with the planned function;
- research and training facilities;
- institutional uses including community facilities and government services compatible with and complementary to the planned function, but not including places of worship;
- restaurants;
- sports, health and fitness recreational uses;
- other similar uses consistent with the planned function and policies of the category of designation.

Subject to the review of a specific development proposal and rezoning, the following uses may also be permitted:



- day care centres;
- banquet halls;
- automobile service stations;
- car washes;
- places of worship, subject to the conditions;
- private and commercial schools;
- trade and convention centres;

and the following uses provided they are on sites, which do not abut lands, intended for residential use or Business Park Areas, and subject to appropriate development standards relating to the location of any required outdoor storage:

- automobile repair uses;
- autobody paint and repair;
- contractor's yards;
- controlled outdoor storage accessory to permitted industrial uses.

Prohibited uses include:

- retail uses;
- funeral homes;
- entertainment uses;
- night clubs;
- residential uses.

The planned function of the Business Park Area designation applies to:

"office/industrial business parks characterized by development displaying high design standards including corporate head offices and research facilities. The visual attractiveness and consistent image of such areas is of prime importance. Retail and service commercial activities will be strictly controlled."

These areas exhibit a clear business park image with extensive landscaping; high quality building design and comprehensive area planning; are generally lands having exposure to Provincial highways or major arterial roads with good access to major roads; of sufficient overall size to enable comprehensive planning and served by public transit.

Land use permissions include:

- offices
- light industrial uses;
- accessory and incidental retail uses to permitted light industrial uses;

- hotels;
- ancillary retail and service uses and restaurants, where internally integrated as a component of an office building and clearly intended for the convenience use of local businesses and employees;
- ancillary retail and service uses and restaurants where internally integrated as a component of a hotel, as customarily provided to cater to the needs of hotel patrons;
- research and training facilities;
- data processing and related facilities;
- institutional uses including government services compatible with and complementary to the planned function, but not including places of worship;
- day care centres;
- banks and financial institutions;
- trade and convention centres;
- other similar uses consistent with the planned function and policies of the category of designation.

Subject to the review of a specific development proposal and rezoning, the following uses may also be permitted:

- private and commercial schools;
- community facilities;
- motels;
- sports, health and fitness recreational uses;
- banquet halls;
- entertainment uses and night clubs, where internally integrated as a component of an office building or hotel.

Prohibited uses include:

- funeral homes;
- commercial "self-storage" warehouses;
- outdoor storage accessory to a permitted industrial use;
- automobile service stations;
- car washes;
- automobile repair uses;
- auto body paint and repair;
- retail uses involving accessory outdoor storage and/or display of merchandise.

Given the limited opportunities for the more extensive list of General Industrial uses, including open storage, in this particular location adjacent to Highway 404,

the subject site would more appropriately function as a Business Park Area designation given its locational attributes and other characteristics that conform with current Official Plan policies. It is also of a size that would enable comprehensive planning and would complement the proposed uses on the adjacent Liberty site that are also intended to be redesignated in part from General Industrial to Business Corridor.

2.4.1 Town of Markham Official Plan Review

The Town of Markham Official Plan is currently under review to conform with both the new Region of York Official Plan and the Provincial Growth Plan. As part of the Official Plan Review exercise, the Town has undertaken background studies related to employment lands that will help to establish policy and meet employment targets to 2031.

As part of the Town's review, UrbanMetrics and Meridian Planning Consultants undertook an Employment Lands Strategy - Phase One dated May 2009. The study emphasizes infill and intensification of the existing settlement area, but confirms that development and intensification of existing employment areas cannot accommodate all of the additional jobs assigned to the Town to 2031. The study recommends protection of all employment lands from conversion to other uses, including major retail and residential uses.

Major Office Employment should be directed to Regional centres and Corridors however just under 50% will also occur within Business Parks. The study also anticipates that Markham's existing employment areas will continue to attract growth through build-out of remaining lands and intensification of existing parcels and/or reuse of buildings. Phase 2 of the study is to examine intensification opportunities. The land budget projects a need for employment lands outside of the urban boundary.

Phase 2 Employment Land Employment (ELE) Intensification Study dated May 9, 2011, was prepared by Meridian Planning. The study concluded that there is little intensification potential for ELE properties in Markham, as most properties are developed to their maximum potential. ELE includes employment in manufacturing, processing, warehousing and distribution related to uses typical of traditional industrial activities occurring in Markham business parks. This lack of intensification opportunity is consistent with that found in other jurisdictions. This conclusion is also consistent with the existing development on the subject lands. The only practical intensification opportunity will be through some demolition of the existing one storey industrial buildings and replacement with higher density uses such as offices or hotels.

The Town is currently preparing its employment land use policies and designations and will be consolidating and refining some of its designations related to both employment and commercial/retailing designations.

An opportunity exists on the subject site to intensify the employment with the addition of certain use permissions consistent with the Business Park Area designation, which includes offices. Although the site is designated General Industrial, it is not actually an internal site that can take advantage of the broader range of uses such as outside storage because of its high visibility, prestige location adjacent to Highway 404. It is these same elements however that favour this site for employment intensification for uses that would be highly marketable in such a location including prestige industry, offices, hotels and other complementary uses.

2.5 Zoning By-law

The lands are zoned Select Industrial Zone - M -of By-law 108-81 which permits industrial uses including:

- warehousing of goods and materials,
- assembly of manufactured goods
- manufacture within enclosed buildings of goods
- repair and servicing of goods
- data processing and computer related functions including education/administration centres, and related market research, analysis and service facilities and related supporting sales and including data and documentation processing centres and related marketing, sales and service and other supporting uses,
- research laboratories
- printing establishments
- other industrial uses similar to the above uses.

Also permitted are private clubs and health centres and certain public uses.



3.0 Conclusion and Recommendation

It is recommended that the Town staff consider this area within the review of its Official Plan as a Business Park Area designation or equivalent for higher order employment uses consistent with the Regional Official Plan for such strategic locations. As noted above, this would be in conformity with the Provincial Plans and policies as well as the new Regional Official Plan and offers an opportunity for employment intensification within the Town, which is limited in many other employment areas.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Taylor", written over a horizontal line.

Christian Taylor
Director of Development



BUILDING A GREATER GTA
Building Industry and Land
Development Association

612

November 2, 2012

Ms. Teema Kanji
Senior Project Coordinator
City of Markham
Markham Civic Centre
101 Town Centre Boulevard, Markham, Ontario, L3R 9W3

Dear Ms. Kanji,

Re: City of Markham Part 1 - Official Plan Review Public Meeting, November 6, 2012

The Building Industry and Land Development Association (BILD) is in receipt of Part 1 – Official Plan for the City of Markham and we offer you the following comments in advance of the November 6th public meeting.

As you are aware, BILD has created a working group of active landowners and planning consultants to lend their expertise in our comprehensive review of Part 1 of the Official Plan. We appreciate that staff have confirmed a meeting with this group and we look forward to discussing the following list of initial items at our meeting (*but not limited to the following*):

Section 3.1.2.10: This section indicates that *Natural Heritage Network Edge Management Guidelines* will be prepared. As interested and affected stakeholders, BILD York Chapter members request consultation for the aforementioned guidelines.

Section 4.1.1.1: We support this general policy, with specific attention to: “to promote an appropriate and adequate range of housing choices by type, tenure and affordability level...”

Section 4.1.2.7: This section indicates that the City will work with the development industry to promote flexibility and adaptability in the design and function of the housing stock to accommodate the needs of future residents. BILD requests additional information on the City’s implementation strategy for this policy.

Section 4.1.3.1 and 4.1.3.6: This section indicates that staff will work in partnership with the development industry to develop a strategy for “affordable” and “shared housing,” and create a framework to implement the actions outlined in the strategy.

BILD has been actively engaged with York Region staff on this matter, through its “Turning Talk to Action: Creating Housing Options for All” workshop and follow-up meetings. We would be happy to participate in future discussions with Markham and lend our experiences to this draft policy discussion.

As we previously indicated to York Region staff, one method of supporting the direction to promote a variety of housing options would be to ensure that the appropriate zoning is permitted as-of-right. This will eliminate an additional development approval step (re-zoning) and reduce costs to the applicants. Municipalities could also provide a series of incentives for projects that are in keeping with the objectives of these policies. For example, the city could consider fast-tracking development approvals; permit six-storey wood framing for mid-rise projects, consider reduced application fees and levies.

Section 4.3.2.3: We acknowledge that a *Parks and Open Space Classification* will be developed as part of this plan. BILD York Chapter members request notification for the forthcoming classification system.

Section 4.3.5: In an effort to be in keeping with the *intensification* policies of this plan (section 2.4) we would recommend that open space be considered as part of the parkland dedication process,

The Province of Ontario encourages intensification as a key direction for managing growth in communities throughout the Greater Golden Horseshoe in the Grow Plan. Integral to the Growth Plan is an emphasis on intensification and re-urbanization of existing built-up areas. In an effort to promote intensification in urban areas, they also provided a report on the “*Reduction in Parkland Dedication Payments*,” which outlines tools that a municipality can utilize to overcome some of the unintended effects. We support these tools and encourage the City to consider these options for all areas of the City.

Please refer to section 9.8.2 of this letter for additional comments on parkland dedication.

Section 6.1.1.5: This section indicates that *Urban Design Guidelines* will be prepared. As interested and affected stakeholders, BILD York Chapter members request consultation for the aforementioned guidelines.

Section 6.1.4.4: This section indicates that a *Streetscape Manual* will be prepared. As interested and affected stakeholders, BILD York Chapter members request consultation for the aforementioned manual.

Section 6.1.5 Landmarks and Views: We suggest that the City clearly identify what is being protected with respect to the Views and Vistas, from the point of origin to its ends and illustrate this protection zone as a *view cone*. Staff could look to studies done in Halifax and London, UK where they have used a *view cone* method to determine the protection zone for a view.

Section 6.1.5.5: This section indicates that all new development and redevelopment is to contribute to a distinctive skyline through architectural treatments and screening of rooftop elements. BILD seeks clarification for what is meant by “distinctive.”

Section 6.1.6.7: This section indicates that *Parks and Open Space Guidelines* will be prepared. As interested and affected stakeholders, BILD York Chapter members request consultation for the aforementioned guidelines.

Section 6.1.8.8: This section indicates that *Build Form, Height and Massing Guidelines* will be prepared. As interested and affected stakeholders, BILD York Chapter members request consultation for the aforementioned guidelines.

Section 6.2.1.1: This section indicates that the City will work in cooperation with the Region and the Toronto and Region Conservation Authority, to develop incentive programs to encourage the development of sustainable communities, and the application of sustainable development practices in building and site design. BILD strongly recommends that we be included in this work as our members will be the ones to implement these sustainable development practices.

Section 6.2.2.2: This section indicates that *Sustainable Development Guidelines* will be prepared. As interested and affected stakeholders, members of the BILD York Chapter and BILD Green Leadership Committee request consultation for the aforementioned guidelines.

Section 6.2.2.5: This section indicates that the City will work with the Region and the industry to achieve 10 percent greater water conservation than the Ontario Building Code for all new buildings. We believe that this policy should be revised to read “that the city will work with the region and the industry to achieve 10 percent greater water conservation than the Ontario Building Code for all new buildings, where practical and feasible.”

Section 6.2.2.6: This section indicates that *Dark-Sky Guidelines* will be prepared. BILD York Chapter members request notification for the forthcoming guidelines.

Section 6.2.2.7: This section indicates that *Bird-Friendly Guidelines* will be prepared. BILD York Chapter members request consultation for the forthcoming guidelines.

Section 7.1.1.6: BILD believes that it is not appropriate to arbitrarily phase development growth in major neighborhoods and intensification areas for travel demand and transportation capacity. An applicant is already required to prepare traffic studies and Transportation Demand Management (TDM) plans for development projects. These plans and studies will mitigate any disturbances during the construction and completion of a project.

Section 9.2.1.1: This section indicates that a *New Comprehensive Zoning By-law* will be prepared within three years of the effective date of this plan. BILD York Chapter members request consultation for the forthcoming by-law.

Section 9.2.4: BILD members seek assurance that the utilization of the Section 37 agreements for additional height and density permissions is conducted in a fair and equitable manner with all applicants. The industry would appreciate the opportunity to consult in greater detail on this matter at our upcoming working group meeting.

Section 9.8.2 Parkland Dedication: As you may know, the BILD parkland dedication working group is currently working with city staff for the review of its parkland dedication by-law. As noted in our meeting(s) and submission, BILD is significantly concerned with the diminishing affordability of new home ownership, as the costs incurred by developers are transferred to the purchasers/future residents. Parkland dedication is a clear example of these transferable costs.

We acknowledge the city’s alternative approach, being 1.2 ha per 1,000 people and we support the continuance of this alternative. We would recommend that the City consider further reducing this parkland dedication rate, either by adjusting the formula, or by way of applying the legislative options in Section 42.6 of the *Planning Act* relating to sustainability criteria as being an option for reducing parkland dedication requirements of an application.

BILD also suggests that the alternative approach be revised similar to the City of Toronto by reducing the maximum permitted alternative standard to 0.4 ha for every 300 units, or less. In addition to the reduced ratio, provide a ‘cap’ that puts a ceiling on the maximum amount of parkland requirements to be obtained from a development, based on its size along a graduated threshold (again, like the City of Toronto; i.e. a maximum of 5 per cent for land less than 1 hectare in size). This better correlates between parkland requirements and considerations of affordability of product.

BILD suggests that the formula for the calculation of land value for parkland be based on no more than the average price of the actual cost of land acquisition to provide for parks in the municipality (i.e. not land zoned for high-density, but rather lands where the majority of parks are provided, being in traditional ground-related single-family developments based on Section 51 pre draft plan values).

Additionally, where high density residential developments provide facilities, such as open space, exercise equipment, easements over open space in condominium lands for public through fare, etc., a discount on parkland requirements or levies could be provided. If we view parkland as open space for recreational purposes, then we should also be able to include green roofs, woodlots, plazas, public/private easement and dry stormwater management ponds into the classification of parkland dedication. In addition to developer/builder discounts for providing amenities as indicated above, consideration could be given to providing a tax rebate back to the homeowner representing the capital/operating savings to the municipalities.

In terms of employment lands, there is a clear argument to be made to encourage non-residential growth/investment around the Metrolinx-defined "Mobility Hubs" by implementing alternatives to the parkland dedication policy for commercial projects.

For both residential and commercial projects stratified title agreements for parkland dedication is one method of creating efficiencies in land use designs.

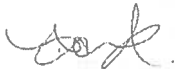
We would also encourage the City to conduct a detailed parkland needs study to understand its cash-in-lieu needs for the future and banking sufficient funds in this regard. The city could consider collecting cash-in-lieu of parkland at Section 51 values today, as opposed to Section 42 values, in order to obtain sufficient cash-in-lieu to acquire adequate future parkland.

M2 Centres and Corridors and Transit Network: We understanding that Metrolinx has initiated an Environmental Assessment for an all-day, two-way GO service along the Stouffville line and we would recommend that additional GO stations be identified in Map 2 to accommodate the projected growth and intensification.

We request that any changes to the draft plan be provided to the public in a revised black-lined version. Additional we would request notification for the release of any revisions to this plan.

Thank you for the opportunity to submit comments. Please feel free to contact the undersigned if you have any questions.

Sincerely,



Danielle Chin, MCIP, RPP
Municipal Government Advisor

CC: *Michael Pozzebon, BILD York Chapter Chair*
Paula Tenuta, Vice President, Policy & Government Relations, BILD
BILD City of Markham Official Plan Working Group
BILD York Chapter Members



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

VIA MAIL AND E-MAIL (judycarroll@markham.ca)

Our File: P-375-09 G

November 2, 2012

Ms. Judy Carroll
Notifications Officer
City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Dear Ms. Carroll:

**Re: Proposed Draft Official Plan
City of Markham**

We represent A&W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry association, the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the proposed Official Plan to determine if the document would apply to our clients' current and future operating interests. Please accept this as our written submission on the subject matter.

ORHMA is Canada's largest provincial hospitality industry association. Representing over 11,000 business establishments throughout Ontario, its members cover the full spectrum of food service and accommodation establishments and they work closely with its members in the quick service restaurant industry on matters related to drive-through review, regulations and guidelines.

With the assistance of Labreche Patterson & Associates Inc., ORHMA has a strong record of working collaboratively with municipalities throughout the Province to develop mutually satisfactory regulations and guidelines that are fair and balanced in both approach and implementation for existing and new drive-through facilities ("DTF"). These planning-based solutions are most often specific urban design guidelines for drive-through facilities and may include specific zoning by-law regulations that typically relate to minimum justified stacking/queuing requirements and setback relative to the actual DTF/queuing lane of the restaurant.

The ORHMA and the noted member brands have requested that we review the proposed draft Official Plan for the City of Markham to determine if the document would apply to their operating

interests. We understand that the draft Official Plan will be presented for discussion at several open houses through the months of November and December, 2012.

As noted above, zoning based regulations and specific urban design guidelines for drive-through facilities are common throughout Ontario. In June of 2010, Markham City Council endorsed the *Town of Markham Drive-through Facilities Design Guidelines*. We were actively involved in the process and drafts of the guidelines leading up to Council adoption of the guidelines.

It is important to note and for your consideration that the implementation of Official Plan based policies that specifically prohibit or unduly regulate drive-through facilities in areas that would otherwise permit service retail commercial uses and associated parking areas is not a common or appropriate form of regulation applied to these facilities in Ontario.

It is our submission that these related decisions relative to official plan prohibition policies for drive-through facilities clearly demonstrates that it is not appropriate or necessary to be contained at the level of an official plan. We believe that at the basis of these rulings is the fact that drive-throughs locate in existing areas of any given City or Town that are already designated for service retail commercial land uses all of which typically rely on vehicular and pedestrian access already coming to and accommodated in the area by associated parking lots. As such, the only unique feature of a drive-through in these pre-determined commercial areas is the drive-through stacking or queuing lane. The drive-through facility and stacking is a detail which can clearly be regulated through the zoning by-law and/or urban design guidelines and under the municipal powers of Site Plan Control therefore prohibition based policies at the level of an official plan is not warranted.

It is relevant to note that the Ontario Municipal Board noted in the Ottawa OP decision, that *"The Board agrees that the policy as it exists gives no consideration to the possibility of minimizing any possible effect on the pedestrian environment through design for the unique characteristics of specific locations and that there are a number of ways to develop drive-through facilities on "Traditional Mainstreets", while protecting and enhancing the pedestrian environment. The evidence proffered by the appellant shows that drive-through facilities in appropriate circumstances, can be designed to have minimal effect on traffic and the pedestrian environment."*

Based on our review of the proposed draft Official Plan, we have identified several issues:

Section 8.13.3 Drive-through Service Facility

- a) *access to the facility shall only be from provincial highways or arterial roads: with sufficient separation from intersections; and not from a Regional Rapid Transit Corridor as shown on Map 2 – Centres and Corridors and Transit Network, or from a road within heritage conservation districts.*
- d) *Buildings accommodating a drive-through service facility shall be located close to the public street to provide convenient and safe pedestrian access between the primary building entrance and to provide a strong building edge to reinforce the streetscape.*
- e) *vehicle stacking lanes will not be located between the drive-through facility and the street.*
- g) *any other requirements as approved by Council.*

We object to the fact that these uses would only be permitted on select arterial roads (item "a" above) while uses such as retail stores, restaurants and other commercial land uses are permitted on any arterial or collector road. DTF are no different in impact than these other permitted uses and their associated parking areas, particularly when appropriate urban design guidelines and regulations are followed for DTF. We have reviewed the material available and there are no studies or detailed planning justification to support these proposed location restrictions. We note that many other commercial/retail uses including restaurants in general and destination oriented uses are permitted on collector roads. As such, DTF should similarly be permitted on collector roads.

Mandating that the facility shall be located close to the street (item "d" above) is not justified or appropriate in all cases. Also, this is a design objective already addressed in the approved guidelines.

Further, the restriction of stacking lanes between DTF and the street (item "e" above) is not necessary within the Official Plan. Section 4.7 - Buildings and Streetscape of the *Town of Markham Drive-through Facilities Design Guidelines* already addresses this issue. As such, the design guidelines ensure that the vision, goals and objectives of these areas are protected. This is also not necessary or justified as the location of parking areas in front of other similar commercial uses is not proposed to be omitted from locating between the building and the street.

Finally, the allowance for any other requirements as approved by Council (item "g" above) is not acceptable. This is not an acceptable statement as it gives the impression or mandate to Council to approve any other requirements in the future without following due process of the Planning Act of Ontario.

Based on the above, we reserve the right to provide additional comments regarding the potential impact of the proposed Official Plan on our clients' current and future operating interests based on any future released drafts of the proposed Official Plan. Thank you for your consideration to our comments herein and we look forward to working with you to mutually resolve our concerns.

Finally, please also consider this letter our formal request to be provided with copies of all future notices, reports, and Committee and/or Council considerations and resolutions related to the proposed Official Plan for the City of Markham.

Yours truly,
Labreche Patterson & Associates Inc.



for: **Victor Labreche, MCIP, RPP**
Senior Principal

Copy: Kimberley Kitteringham, City Clerk, City of Markham
 (via e-mail: kkitteringham@markham.ca)

*Marg Wouters, Senior Manager, Policy and Research, City of Markham
(via e-mail: mwouters@markham.ca)*

*Teema Kanji, Senior Project Coordinator, Policy and Research, City of Markham
(via e-mail: tkanji@markham.ca)*

*Marco Monaco, ORHMA
(via e-mail: mmonaco@orhma.com)*

*Leo Palozzi, The TDL Group Corp.
(via e-mail: palozzi_leo@timhortons.com)*

*Leslie Smejkal, The TDL Group Corp.
(via e-mail: smejkal_leslie@timhortons.com)*

*Paul Hewer, McDonald's Restaurants of Canada Limited
(via e-mail: paul.hewer@ca.mcd.com)*

*Susan Towle, Wendy's Restaurants of Canada, Inc.
(via e-mail: susan.towle@wendys.com)*

*Darren Sim, A&W Food Services of Canada Inc.
(via e-mail: dsim@aw.ca)*



Canadian Fuels
ASSOCIATION
canadienne des carburants

The new CPPI.

Ontario Division
901-20 Adelaide E
Toronto, Ontario
Canada M5C 2T6
t. 416.492.5677
canadianfuels.ca

By E-mail to: judycarroll@markham.ca

City of Markham
Clerk's Department
Markham Civic Centre
101 Town Centre Blvd
Markham, On
L3R 9W3

Re: Markham New Official Plan. November 6, 2012 Open House

Dear Ms. Carroll

I am writing this letter on behalf of the Canadian Fuels Association (formerly Canadian Petroleum Products Association). This association represents member companies in refining, distribution and marketing of petroleum products. In Ontario, the member companies are Husky Energy Inc., Imperial Oil Ltd. (Esso), Shell Canada Products, Suncor Energy Products Partnership (owns Petro-Canada) and Ultramar. The majority of Motor Vehicle Service Stations within the City of Markham are owned by the member companies.

While our member companies are competitors in the market place, the member companies work together under the Canadian Fuels Association umbrella on various topics such as environmental, zoning, traffic access, parking requirements, tanker truck circulation and health and safety issues which may be common to the industry. The Canadian Fuels Association works with its members in supporting that its member Motor Vehicle Service Stations have facility design standards in place which ensure that their retail petroleum services are safe and viable while meeting the customer needs.

We commend the City of Markham (City) on this current draft Official Plan (OP) document; however we have serious concerns with some sections such as:

Subsection 8.13.3.1a) includes the prohibition for drive-through service facilities to be located on Regional Rapid Transit Corridor as shown on Map 2 – Centres and Corridors and Transit Network.

The document contains no planning rationales to support this prohibition. It begs the question on why is a drive-through facility treated differently from another automotive use such as a

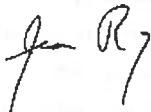
parking lot, etc. It should also be noted that many of the existing drive-through facilities are located within such areas and could become "legal non-conforming" which is unacceptable.

Subsection 8.13.3.1 d) and e) require the drive-through building to be located as close as possible to the public street with no vehicle stacking lane to be located between the drive-through facility and the building.

This is incompatible with Subsection 8.5.15.1 g) requiring the pump islands to be located at the rear of the Motor Vehicle Service Stations building. In such case the drive-through vehicle stacking lane would have to be located on the other side of the building and therefore likely between the drive-through facility and the building. As an alternative, we can offer as a suggestion the following wording: *"if a corner lot contains in one building a Motor Vehicle Service Station and a drive-through facility, the drive-through facility vehicle stacking lane may be located in a side yard between the building and one of the two streets, if the drive through facility vehicle stacking lane is not located between the building and the other street."*

We would be pleased to have the opportunity to discuss these items further with members of the City of Markham Planning Staff.

Sincerely,



Jean Roy

Tel: 416-222-5991

Email: jean.roy23@sympatico.ca



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We'll take you there

The new CPPI.

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S. Ethier, Suncor Energy Products
P. Park, Suncor Energy Products
C. Brutto, Husky Energy
D. Dussault, Imperial Oil
A. Sestokas, Imperial Oil
H. Bennet, Shell Canada Products



Ontario
Trucking
Association

555 Dixon Road
Toronto, Ontario M9W 1H8
Phone 416.249.7401 / Fax 1.866.713.4188
Web: www.ontruck.org

December 19, 2011

Your Worship, Mayor Frank Scarpitti
Mayor, Town of Markham
101 Town Centre Blvd
Markham ON L3R 9W3

Your Worship:

The Ontario Trucking Association (OTA) provides services and public policy advocacy for trucking companies hauling freight into, out of and within the Province of Ontario. OTA member fleets operate over two-thirds of all commercial tractor-trailers on Ontario roadways and operate in all segments of the industry, including for-hire carriers, private carriers, intermodal and suppliers.

OTA is often approached by municipal officials and members for input on infrastructure projects, particularly truck routes. Since each municipality in Ontario faces unique challenges in developing and utilizing infrastructure to optimally meet the needs of its community, businesses and citizens, OTA has developed the report, *Local Truck Routes: A Guide for Municipal Officials* to provide general principles to guide municipalities and the trucking industry through the process of planning for truck traffic. The report provides guidance for identifying the need for a truck route, how a truck route should be established, key stakeholders that should be consulted and design considerations

The trucking industry is the predominant mode of freight transport in Ontario, serving every community and virtually every size and type of business. The industry is also one of the province's major employers. As such, the efficient movement of goods is vital to the economic development and growth of commerce in Ontario. To assist your municipality in accommodating freight movement needs, I have attached a copy of *Local Truck Routes: A Guide for Municipal Officials* for your perusal. A copy of the guide will follow in the mail.

Should you have any questions or would like to discuss the guide further, please feel free to contact deanna.pagnan@ontruck.org.

Sincerely,

Stephen Laskowski
Senior Vice President

SL/dp
Enclosure (1)

65


Kanji, Teema

From: Bavington, Kitty
Sent: Tuesday, April 12, 2011 3:43 PM
To: Kanji, Teema
Subject: FW: Official Plan Review.

Arrived too late for addendum agenda - will hand it out tonight

- Kitty

-----Original Message-----

From: f.mctavish
Sent: April 12, 2011 3:38 PM
To: Bavington, Kitty
Subject: Official Plan Review.

Please be advised that , as a life long resident of the Township/Town of Markham (D. O. B. : July 1947) , I continue to be concerned about the trend of many of our elected officials to enthusiastically approve most (if not all) applications from the Development Industry , thus eliminating more and more of Canada's top farmland.

The fact that these very same Officials accept large Developer financial donations is very troubling.

As soon as they have voted in Council to cover all fields north of Major Mackenzie Drive , will they start working extending the urban sprawl beyond Elgin Mills Road?

I believe that this trend must stop , and the current Provincial legislation should be challenged.

A good start would be looking at every means possible to help what few Farmers we have remaining , to have the financial incentives to continue , rather than selling out to people who would destroy more of our foodbelt.

I would be grateful if you could make my thoughts known to all members of Markham Council.
Sincerely,

Fraser McTavish.
2 Quarry Stone Drive
Markham.

Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

~~66~~ 66

Tuesday, April 12, 2011 4:11 PM

Subject: Input for Markham's Official Plans
Date: Tuesday, April 12, 2011 4:11 PM
From: Jeanne Ker-Hornell <jkerhv@rogers.com>
To: To the Mayor and Council

Speaking to Council April 14th 2011 by Jeanne Ker-Hornell

Thank you Your Worship, and Members of Council, for planning our Town's future, and giving communities a chance for input into these very important plans.

Markham is rapidly becoming an outstanding, distinct Town, with many facets to be considered. We are being watched and envied by other communities, and the One Aspect that can make or break our continual success is the planning of how our Town will be shaped in its future growth.

I am speaking of the importance of Place Making, the Neighborhoods.

We have a prime example of a new Place, the Markham Centre in Unionville, and it certainly is a centre, the very centre of Markham in fact.

Other New Places are being created continually, and Cornell comes readily to mind.

Also, we have the old Heritage Places that are our beginnings, more than 200 years ago.

Growth is inevitable, and we know infills will happen in the heritage areas as well as elsewhere. We know the BIG DOLLAR means, big as possible houses must be built, without much thought of the impact on the neighborhoods.

Right now, there are ideas for buildings with 5 or more stories, in the very heart of Unionville, even on our Heritage Main Street.

The time has come in our Town's Official Plans, to take control of our Town's development, to make stricter rules to preserve our heritage communities, to balance these future plans.

A sensible preservation plan would be to include the Pioneer Stiver Mill on Station Lane in Unionville as a distinct Place. It stands right next to the Restored Heritage Railway Station.

Station Lane is a poor little neglected Lane that can be made into a seriously important Heritage Landmark to anchor the south end of Unionville's Main Street, for tourists, and for the community to enjoy.

It would be fitting, as the Fred Varley Art Gallery nicely anchors the North end of the Heritage Commercial Area.

Unionville was an agricultural village, so Station Lane was the VERY HUB of 19th Century Unionville, with the Stiver Mill dealing with the farmers' grains along with the symbiotic railway activities.

It has earned the right to be upgraded and preserved for posterity.

After all, Unionville's Heritage Main Street IS York Region's second highest Tourist attraction, after Wonderland.

There is diversity for you in our so diversely populated town, for less than a kilometer away from our 19th century village, we have the huge 21st Century Markham Centre.

That is something to be proud of.

Lastly:

When preserving and creating distinct Places, please consider directing Town Staff to include the very First House built in Markham, believed to be the Oldest Standing House in York Region.

The Berczy Log House was built over 200 years ago, circa 1808, and still stands by the pioneer cemetery where the pioneers of our Town are buried.

This house is situated, as you know, on the vastly important Becket Farm on 16th and Kennedy corner, where Unionville had its beginnings before gradually moving to its present site.

I did speak of this to you earlier this year.

Because of its intrinsic value, the Berczy Log House should be made into a quietly preserved Heritage Place for people to visit and reflect on the Past.

The Markham Museum has many artifacts that can be used.

BOTTOM LINE:

In your collective wisdom, please recognize the value of all the Heritage Villages and Hamlets of our Town of Markham.

Allow them to stand proudly, strictly preserved, for hundreds more years, along with the incredible new Places.

Thank you for listening.

Jeanne Ker-Hornell

Kanji, Teema

67

From: Kanji, Teema
Sent: January-18-12 9:27 AM
To: Hutcheson, Regan; Lee, Brian
Subject: FW: Official Plan Review

From: Bavington, Kitty
Sent: January-17-12 3:21 PM
To: Kanji, Teema; Carroll, Judy
Subject: FW: Official Plan Review

FYI

From: Joyce Ramer
Sent: January-17-12 3:12 PM
To: Bavington, Kitty
Subject: Official Plan Review

My name is Joyce Ramer. I am a Real Estate Broker and am celebrating my 40th year of assisting Families from near and far to Re-Settle and Relocate into our fantastic Community. Up until recently, we have been very proud as to our Development and, especially, our Heritage which used to be respected. However, we have witnessed the erosion of the significance of and the preservation of, our Historical past as well as our Culture. From the foreign language signs on business, to the naming of streets in the name of Foreign Country's possible hero, to the Opening of 407 to Main Street, Markham Village by; as I've been told, by a purchase of this right and a substantial amount of money went into the Town coffers and where ever. Who in God's Name approved this foolish and disrespectful action? In other words, maintaining the integrity of Main Street, Markham Village has been SOLD OUT! I have been one of the many, many people who worked hard for 35 years to have the large trucks taken off of Main Street and to have a By-Pass Built. Well, what happened, both of these aims have been accomplished, but the trucks still use Main Street Markham Village, (fewer but still do use it) and both By-Passes have light to no traffic at any hour; while Main Street, Markham Village, is bumper to bumper from 6:00 a.m. until midnight, daily, 7 days a week. Something is wrong with this picture....I understand there is to be re-development of Main Street, in spite of the damage to businesses on Main Street, I can accept it is needed, especially with the proposed, ugly, main Street monster buildings, stores and apartments in mid-Village + the proposed 20 + 18 Storey Apartment Condos, + Townhouses, for Markham Road, North of 16th & Main Street + proposed 28,000 to 32,000 sq. mosque + + more townhouses at Williamson Rd. + the Go train to be rescheduled to every 2 hours from Stouffville to Toronto in the near future with crossing signals to stop traffic, no overpass or underpass. This is insanity and reckless use of your powers as Mayor & Councillors voted into your positions to protect the rights of your Voters, the Citizens and Taxpayers of Markham. Is this a scene where the Developers are running this Town?

Respectfully yours,
Joyce Ramer

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Kanji, Teema

From: Larry
Sent: November-17-11 1:49 AM
To: Official Plan Mailbox; Moretti, Carolina; Lucas, Wendy; Scarpitti, Frank
Subject: Markham Roads...

To the Town of Markham,

I'd like to start by saying Markham has been a wonderful place to live. I moved up here with my family 9 years ago and although the amenities are not a walk away, and you would have to drive to everywhere you go (especially since YRT is not as common as TTC) its a quiet, peaceful and clean place to live.

i just have a few suggestions, questions, and comments which i hope and anticipate a response from you.

I just have to say, traffic on 16th Avenue has gotten significantly worse this year. Why is the speed limit lowered to 60? That also goes the same for Major Mackenzie Rd. as well. As for Highway 7 west of Woodbine I hope you people are repaving it because without the medians the road looks and drives disgustingly. And although I know this isn't part of Markham it's still York Region and I would like to extend this compliant out. Another inquiry I have is this, why does the Indian community have streets named after their culture and heritage (New Delhi Dr.)? Especially since the demographics of that area is mostly Tamil anyway... and with a significant demographic of Chinese, there has yet to be any recognition. I mean there's plenty of Anglican/francophone references but nothing to tribute the East Asian community.

Speaking of repaving, this moves me to my main concern; can we have a right turning lane for northbound McCowan Rd. and 16th Ave.?! I've lived here almost a decade and I thought with so many traffic lights being put up someone would have been smart and maybe put a turning lane.

Also, 16th Ave. westbound from just after Warden to about Rodick the left lane needs repaving. That crack in the road is horrendous! And just down the road, the intersection of Townson Rd. and 16th Ave has a huge pot hole on the right lane.

By the way, a north-south highway (not just a low speed limit parkway) somewhere around the Markham and Pickering boarder would be awesome! But I'd be dreaming..

I apologize if I come off as slightly aggressive but I truly believe something should be done. I hope to hear from you soon.

Regards,
Larry Fung

--
LFung

Kanji, Teema

From: mflores
Sent: August-31-11 5:25 PM
To: Official Plan Mailbox
Cc: Bavington, Kitty; Weatherill, Tannis; Kanji, Teema
Subject: Comments on OP Review and Cornell Secondary Plan

Att: Ms. Teema Kanji and the Official Plan Team, Town of Markham

Thank you for your quick response to my questions. I just wanted to take this opportunity to submit my comments on the Cornell Secondary Plan and the OP in general.

As you know, properties along Bur Oak are designated for mixed-use and appear to have slightly higher density permission than the rest of the residential neighbourhood. For the most part, non-residential uses such as Institutional, Places of Worship and the live-work commercial developments have been sensitive to the adjacent properties in terms of layout and design.

- I would like to emphasize my support for the Town's commitment to design and regulatory policies that promote proper transition and buffering between higher density forms of development adjacent to low-rise/lower-density residential homes. This is particularly important where there is a through lot and/or where a designated property is large enough to subdivide or sever into other uses.
- I am aware and believe it is appropriate that Cornell Centre developments along Highway 7 will be the focus for mixed-use, high density development.
- Having said that, I also believe that proper care should be taken to ensure any new mixed-use developments within the neighbourhood residential areas are directed to frontage along Bur Oak, do not exceed low to mid-rise development heights, and are designed and buffered to be sensitive to adjacent/existing townhouses along Bur Oak and any residential homes located on parallel streets that may back onto the new development.
- Please keep these factors in mind when identifying appropriate setbacks, landscape and fencing requirements, and the placement of entrances and driveways for larger-scale uses. While many of these characteristics are determined at the site plan control stage, for the sake of clarity and transparency and to provide comfort to existing homeowners, it is appropriate that the OP and Secondary Plans provide clear direction on these matters.

As you must be aware, the village character and design in Cornell is a very significant part of this community and I would hope that this neighbourhood character can be maintained. While I do not mind intensification and mixed-use, as I recognize these are essential to achieving a more sustainable and transit-oriented community in Markham, it should be directed to the appropriate centres and corridors and should be reflected in ways that are suitable and compatible with existing and established areas (i.e. not every development needs to be a high rise point tower and we should also encourage low to mid rise forms).

I trust that through this OP exercise, the Town will create, implement and enforce policies that require excellence in design and sensitivity to built form and character of existing and adjacent homes and neighbourhoods. To do this well would increase the chances of buy-in from the local community and greater acceptance of intensification through more compact, mixed-use form.

Thank you very much for your consideration to my comments. I look forward to being involved and providing input through future consultations on the Draft OP.

Regards,
Maria Flores

Carroll, Judy

From: Norman Kevilovski
Sent: November 2, 2012 3:53 PM
To: Carroll, Judy
Subject: Draft Official Plan

I live in the Hamlet of Almira and have two concerns with the proposed draft plan related to its provisions for the Hamlets, namely;

(1) the draft states that "it is the policy of the Council to protect and maintain the historic and rural residential character of the hamlets", yet, the "obnoxious use" provision in Clause 3.8.1.(j) of the old Official Plan has been deleted from the proposed draft.

This provision should be maintained in the new plan in order to prevent non-residential uses such as landscaping and paving business being run from the hamlets especially in Almira where there are numerous small lots of 1 acre or less.

(2) Clause 8.7.1.2.(b) of the draft has some additional uses for the hamlets of Locust Hill & Cedar Grove but NOT Almira. The hamlet of Almira given its location and topography, is equally if not better suited for the uses and the reasoning therein.

The Hamlet of Almira should be included/added to the foregoing clause.

Norm Kevilovski
4228 - 19th. Avenue
Markham, Ontario
L6C 1M2

Kanji, Teema

71

From: Richard Mason
Sent: January-20-13 11:47 AM
To: Burke, Valerie
Cc: fscarpatti@markham.ca; Heath, Jack; Jones, Jim; Campbell, Colin; Official Plan Mailbox
Subject: Emailing: THE%20THORNHILL%20SQUARE%20COMMUNITY%20CENTRE.htm

To: vburke@markham.ca
Cc: fscarpatti@markham.ca; jheath@markham.ca; jjones@markham.ca;
ccampbell@markham.ca; officialplan@markham.ca
Subject: THE THORNHILL SQUARE COMMUNITY CENTRE

IT'S NEVER TOO LATE !! Please When are the Planners and Markham Council Management going to realize that they are missing a GOLDEN OPPORTUNITY to provide a first class INTEGRATED DEVELOPMENT for the benefit of Thornhill and Markham residents, at THE THORNHILL SQUARE currently there is no provision for a SWIMMING POOL/ACQUATIC FACILITY in your development proposal no inclusion now, means no inclusion in the future now, is a critical moment in time this fact, in my view, and that of many local residents that have been approached, is a shame When you consider the number of residents that have been added to this immediate area and overall Markham, the number of local Senior residents and Senior's Homes, the numbers of complimentary facilities already in the Centre, and the increased emphasis society is placing on fitness and well being, it's highly annoying to contemplate a development plan that ignores the inclusion of a POOL in the fitness objectives of this SQUARE, and the community it serves consider the synergies that would/could be created local residents and Seniors could gather for exercise and ACQUATICS PROGRAMS in the POOL COMPLEX elimination of the current undersized Fitness Centre, and the incorporation of an expanded version into the Pool Complex would be a bonus the Library would provide a before or after destination UPGRADED shopping facilities would encourage visitors to shop and consume the Center's revenue base would increase the integration of a SWIMMING FACILITY, with the existing SENIOR'S CLUB, LIBRARY, and FITNESS area would be ideal and with the ARENA and better SHOPPING FACILITIES you create a ONE STOP DESTINATION, for any and all patrons Markham could showcase a development that truly caters to our residential and community needs furthermore, there is NOTHING IN THIS CORNER of the Markham municipality that currently focuses on, and provides for, a CENTRALIZED compendium of community services create a magnetic focal point and develop some local pride the current provision of an off- site, local Secondary School Swimming Pool for the EVENING HOURS ONLY, is no answer to this quandary it's lame , and a total injustice how many residents and Seniors are attracted to, or available for, this daily timeframe ?? I can't stress enough, my passion for an alteration to your existing PLANyou already have an approved plan in hand, so take this opportunity to make it truly perfect!!.... IT'S NEVER TOO LATE !! employ more forward thinking and planning, to the future needs of our residents and our community, for the coming years! I'm available for further constructive discussion of this matter, if anyone wishes to continue the conversation thank you for your time Richard Mason.

MARKHAM OFFICIAL PLAN

DECEMBER 3, 2012 THORNLEA SECONDARY SCHOOL

When I first saw the PLAN ten days ago I was so utterly amazed at the PLAN that I was tongue tied I could only suggest that Markham be protected from Ottawa stealing 2.6 BILLION dollars from Markham and others THEIR transit needs.

The PLAN shows an increase in transit load on Yonge Street which is now over capacity. Former Toronto Mayor Miller wanted to spend \$463 million to fix the Yonge and Bloor subway intersection. This trouble spot was IGNORED by the Metrolinx study.

Remedy;

Rebuild the Richmond Hill/Langstaff rail to double track, no grade intersections or rail intersections and underground from 401 and Leslie to a new HUB at Broadview. Then over the existing CP Right of way to Union Station. The HUB is to handle streetcars to King, Queen and other points. All new rail should be compatible when eventually overhead electric, every axle live and breaks put power back in the grid.

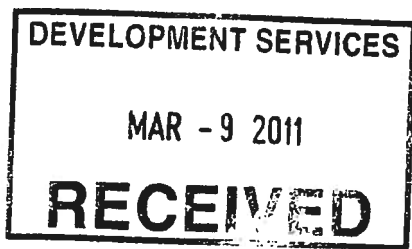
Savings in TIME

Present time is 35 minutes, target is 18 minutes with 2 stops to Union Station. The elevated street cars from the HUB also carry passengers away from the Bloor and Yonge trouble spot.

Cost;

About twice the sum of the Finch subway to Langstaff plus the elevated streetcars.

Do you have any questions?



Terry Goodwin
810 - 8111 Yonge Street
Thornhill, Ontario, L3T 4V9

March 8, 2011

Councillor Valerie Burke
Town of Markham
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

Official Plan

Dear Ms Burke,

There are three points that need care.

Density:

The interface between new intensification and existing residential areas should be to protect existing areas.

Storm water:

Consultant Calthorpe said on the 'phone that the volume of storm water can exceed the 100 year storm by 30%. Vaughan has had the 100 year storm rule for more than 25 years and it has been exceeded at least three times.

Transportation:

We have GRIDLOCK NOW. Please see the attached suggestions which of course require Provincial action. We are STALLED until that is taken.

I would be ready to answer questions.

Sincerely,


Terry Goodwin

✓ cc Tim Lambe, Manager of Policy and Research

Possible Improvements for the Richmond Hill Langstaff GO Rail

At present there are four trains of 10 bi-level cars southbound in the morning and five northbound in the afternoon. The running time from Langstaff to Union station is 35 minutes. In another location where I grew up the station was the same distance from downtown the running time on steam power in 1930 was 25 minutes. When overhead electric with every axle live was installed 1933 the time dropped to 18 minutes!!!

Every axle live allows the motors to act like brakes as our street cars and subways do now and put power back in the grid. That is good for the environment. 18 minutes would attract greatly increased ridership -taking more cars off the road. The problem is the trackage south of 401 through the Don Valley. IF the tracks were tunnelled directly under Leslie to come out near the Brick Works a substantial time savings would show. But this is a broad brush concept only. If one tries the east side of the Don then the Broadview Station on the Bloor/Danforth subway line might become useful - then follow that thought with bringing the Queen and King street car lines up to the same interchange. That should take a major load off the Yonge-Bloor station where trains leave passengers on the platform TODAY.

It all looks good on flat paper but even a casual drive by on the Don Valley Parkway shows major vertical constraints. Maybe some street car tracks could be elevated over that part of the Parkway.

There is lots of opportunity and one really has to be "out of the box" on this one.

TG

WHERE THE MONEY COMES FROM

Many local and regional councils don't like GRIDLOCK, but doing something about it costs money and the tradition annual deficits end up lost in the local tax rates. The continual temptation is to cut the service and reduce that deficit.

IF the transit systems - including GO RAIL - can be made a source of profit THEN the councils can be more aggressive. The solution is to pay each system a BONUS for each passenger kilometre carried. No deficits allowed, they MUST show a profit.

Where does that money come from? The existing partial education rate shows on a SEPARATE line on the tax bill. The Bloor Danforth subway was financed by a 2 mil rate shown on the tax bill. The assessment and mil rates were much different then. Now such a charge should be on a SEPARATE line on the tax bill. While such a charge should be operational, a small part could be toward capital costs. It also forms a platform for contributions from other levels of government. The suggested rate should be vetted by your board (who are appointed and not subject to harassment at election time) and then approved by an Order in Council. I do not know what the numbers are. Likely the bonus will be more that 10 cents per passenger kilometre carried but not more than 20 cents.

I would be glad to answer questions.

Terry Goodwin

January 13 2010

Page 2-5, bullet 2.2.2.4: to provide opportunities to increase the proportion of Markham residents who work in Markham in order to reduce traffic congestion, commuting time and other health issues related to poor air quality. Suggest adding: Hence the carbon footprint of Markham residents will be decreased to slow down the trend of Global Warming and Climate Change.

Page 2-11, line 8, two "and"

Page 4-4, 4.1.3.1, increase affordable housing options for seniors, youth, new immigrants and single person households. Suggest adding senior friendly housing options.

Page 6-4, 6.1.2.5, linkages to the street network that are accessible to people of all ages and abilities. Suggest adding senior friendly street network

Page 6-5, 6.1.3.4, vi, the physical needs of people of all ages and abilities including pedestrians, cyclist, transit riders and automobile users; Suggest adding seniors or people with disability who need to use assisted walking device.

Subject: FW: City of Markham - Draft Official Plan - INPUT

From: Steve Hanson
Sent: January-28-13 3:34 PM
To: Wouters, Margaret
Cc: Hamilton, Don
Subject: City of Markham - Draft Official Plan - INPUT

Ms Wouters:

I am a resident of the Unionville Historic District, residing in Markham only since the summer of 2012. Because of an issue within the Unionville Historic District, I have had the opportunity to study the City of Markham Official Plan policies as they relate to heritage matters, been present for four (4) separate Heritage Markham Committee meetings and been present for three (3) Committee of Adjustment meetings. Yes, all since the summer of 2012. I could not be categorized as fluent in heritage matters or the efficient operation of a municipality the size of Markham, however I do want to provide input that I believe will better serve the community in the long-term, in its goal of conservation of the City's important heritage resources.

What I have come to learn is that heritage issues brought forward to Heritage Markham are complicated from a planning and preservation standpoint, and governed in part by very detailed Heritage Conservation District Plans as prescribed in the Ontario Heritage Act. These documents, coupled with the District Studies that provide basis for them, coupled with other historic backdrop, make managing and planning for Markham's heritage resources a specialty. I view it similar to my profession as a Chartered Accountant, and the specialties such as taxation that I would not profess to be fully competent in. Simply put, we cannot be experts at everything.

If the Official Plan's goal is to preserve Markham's unique heritage assets and guide change so as to ensure our heritage resources are protected, I believe it is appropriate to consider a Governance Change in heritage issues.

Through the process of the 17 Euclid Street severance application, I observed strong opinion from those who know Heritage, "live" Heritage and have a vested interest in Heritage being systemically "trumped" by a Committee of Adjustment who did not display the same knowledge of the UHDP. I observed a strong Staff position also being ignored by Committee of Adjustment. Specifically, three parties who supported the 17 Euclid severance either gave no reason or made no mention of the UHDP in their reasoning. It appeared this property might as well have been at Markham Road and Major MacKenzie in their thinking. Many residents of the District were left wondering what knew of Heritage community attributes.

It got me thinking that perhaps it is unreasonable to expect Committee of Adjustment to understand the policies, attributes and spirit of three or more detailed Conservation District Plans. They too are volunteers and have other professional and personal commitments. I have thoroughly read and digested our Plan in Unionville including the original District Study, and it is a lot of material. And as a Chartered Accountant, I am cursed with always thinking about efficiency. So it lead me to wonder given the amount of heritage activity in the Heritage Districts why Heritage Markham couldn't be given the "teeth" to make binding decisions regarding the Districts as if it were the Committee of Adjustment. Strip the heritage communities from today's Committee of Adjustment responsibility, establish a 2nd Heritage Committee of Adjustment (call it 'Heritage Markham'), and let the original Committee adjudicate across the broader community. Decisions of Heritage Markham would therefore be appealable to OMB in the same way as are decisions of the Committee of Adjustment today. This would save an unwarranted step that is costly in my view and creates unnecessary burden on people like me (the need to go to today's advisory Heritage Markham Committee AND the current Committee of Adjustment; instead the decision would be made by only Heritage Markham). What would be better than having "better experts" decide on cases which they are better suited to do so. It would still be reviewable by

the City Solicitor and councilors, so there are "checks and balances" with the ultimate being the OMB. And it adds no cost, as the City has already established the framework and infrastructure of Heritage Markham.

Very clearly the current make-up of Heritage Markham has more expertise than the Committee of Adjustment in heritage matters as it is their specialty, and they would definitely be more engaged and passionate about heritage. I see more efficiency in decision-making and I see more knowledgeable people making the decisions. Why couldn't the City of Markham govern itself this way for efficiency and the betterment of decision-making. I think we would see a greater level of conservation in accordance with the Plans of the Districts, and therefore the City of Markham Official Plan. If you are serious about Heritage conservation, this structure demonstrates it clearly to this community, and every other community. Markham would be a governance leader, and it would lead to more efficient and informed decision-making.

I understand there are Planning Act implications, however if there is a will to consider this, then I believe the Official Plan should contemplate such a recommendation and the City lawyers would figure out a way to make it work legally in compliance with the Planning Act. The internal details and operating parameters would be easily dealt with by the more than competent Staff at the City.

I am aware of two recent instances of the Committee of Adjustment ignoring the Staff and Heritage Markham recommendations. I find this concerning from a conservation perspective. Equally, I would be concerned about maintaining high quality committee members on Heritage Markham, if they watch another body with less knowledge "neuter" their recommendations. People will soon realize their efforts are not worth anything, and their personal time could be better spent elsewhere. And that would be a devastating result for the City's heritage resources. These people are engaged, knowledgeable and passionate. Give them the authority.

I would appreciate you giving my input due consideration and talking to the appropriate Staff and Heritage Markham members for their more educated input. I would request this email be forwarded to all three councilors on Heritage Markham for their input as well. I have copied Mr. Hamilton. I personally see this as a progressive and positive step in many regards. Thank you for your consideration.

Steve Hanson CPA, CA
14 Pavillion Street
Unionville Historic District
Markham, Ontario

-----Original Message-----

From: Sandra Wiles
Sent: January-07-13 10:59 PM
To: Wouters, Margaret
Subject: Official Plan

Hi Marg

Just reviewing the Environmental Systems section 3 and associated Maps which establish vegetation protection zones/buffer areas Many of the features and reqt zones are being requested adjacent to existing development, some development established many years ago in the City (previously Town) Would policies allowing for the redevelopment of lands in these areas in accordance with policies existing at the time of development not be appropriate and fair? Suppose a structure was destroyed and the landowner wanted to rebuild? It is noted that in Special Policy Areas of the City redevelopment is allowed to proceed. The situation noted above would be similar There may be a policy already in the document which would cover this, I am not certain

Also there are many areas in OpaNo 5 where plans have been zoned and registered. Will the setbacks to the previously approved boundaries be challenged? This could potentially occur at the site plan approval stage for a residential block of land for example.

Perhaps these matters will be dealt with in Part III of the OP

Just thought I would forward my comments along for consideration

Regards
Sandra Wiles

Sent from my iPhone

AIRD & BERLIS LLP

Barristers and Solicitors

Patricia A. Foran
Direct: 416.865.3425
E-mail: pforan@airdberlis.com

November 1, 2012

Our File No. 110524

BY EMAIL

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

Attention: Judy Carroll, Clerk's Department

Dear Ms. Carroll:

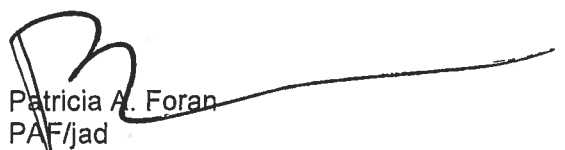
**Re: City of Markham's New Draft Official Plan
Public Meeting and Open House scheduled for November 6, 2012
Our Client: Lindvest Properties (Cornell) Limited**

We are the solicitors for Lindvest Properties (Cornell) Limited. As Council is aware, our client is a major landowner in the Cornell Secondary Plan area, including the Cornell Centre area. Our client is currently reviewing the details of the draft Official Plan and related schedules and appendices. We note, however, that the draft Official Plan as circulated contains only Part 1 and does not include any of the secondary plans that are proposed to be incorporated within the Official Plan. As we understand it, these will be released at a later date.

At this point it is not clear whether Staff will be proposing amendments to the secondary plans prior to their inclusion within the City's new Official Plan. In the absence of this detail, it is not possible for our client to finalize a full set of comments on the Official Plan at this time. Accordingly, we would appreciate clarification as to the intent regarding the incorporation of existing secondary plans and we reserve our client's right to provide further comments once a full Plan is made available to the public for review and comment.

Yours truly,

AIRD & BERLIS LLP


Patricia A. Foran
PAF/jad
End.

c. Lindvest Properties (Cornell) Limited
13412315.2