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**SENT BY E-MAIL ONLY**

May 26, 2015

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

Dear Mayor Scarpitti and Members of Council:

**1820266 Ontario Inc. (Times Group Inc.) – Applications for Official Plan and zoning by-law amendments to permit a townhouse development – City File Nos. OP/ZA 14 117506**

**Our File No. 500286**

We are the solicitors for East Cornell Holdings Inc. which owns lands fronting on Highway 7. We are writing with respect to Item 6A(1) on Council's agenda on Tuesday, May 26, 2015.

Our client is concerned that the recommendation arising from the Development Services Committee meeting on Tuesday, May 19, 2015 to approve the applications by 1820266 Ontario Inc. ("Times Group") for Official Plan and zoning by-law amendments to permit a townhouse development may be contrary to various provisions of the City's Official Plan, the Region's Official Plan, the Growth Plan for the Greater Golden Horseshoe Area and the Provincial Policy Statement. Further, our client is concerned that any decision to permit a townhouse development along Highway 7 is simply not good planning and will only serve to undermine intensification efforts along an important transit corridor such as Highway 7.

It is important to note that City staff recognizes that the applications by Times Group are fatally flawed and have provided you with a recommendation that the applications ought to be denied in their report dated May 19, 2015. We concur in this recommendation. Without repeating the City staff report in detail, we observe that this very parcel of land was the subject of a lengthy OMB hearing and subsequent Minutes of Settlement signed by the Applicant (and others) in which the Applicant agreed to a 405 unit development consisting

of a maximum of 12 townhouse dwelling units and a maximum of 393 apartment dwelling units. The unit count for the proposed townhouse development is 55 (or 56) units which is less than 25% of the current permitted unit count. If it was good planning in 2013 to seek and permit intensification along a transit corridor like Highway 7, it is surely bad planning to move in completely the opposite direction and approve a less intense form of development along Highway 7 a mere two years later. That is not planning, it is opportunism at its worst and renders long term planning exercises pointless.

The Development Services Committee appears to have been swayed by the Applicant's promise to utilise density from this site on another nearby site which it owns. The difficulty with believing this promise is that there is no way of guaranteeing that the Applicant will in fact develop in this fashion. The Applicant's own history of agreeing to develop in one fashion and then seeking to change that approval a mere two years later is proof positive that the City should not rely on assurances from the Applicant. It is easy to foresee that in subsequent years the Applicant may utilise the current approval (if granted) that it ought to be allowed to develop more low rise low density type development in order to ensure compability with surrounding development.

Approving less density along Highway 7 will only encourage other landowners to attempt similar outcomes and undermine transit initiatives. In fact, this is occurring on a number of other sites near Highway 7 in Markham which has been highlighted as a concern by the Region of York at its Council meeting on April 23, 2015. As a landowner along Highway 7, our client is supportive of intensification efforts along this important transit corridor because it is only with appropriate densities that transit initiatives like the VIVA busway along Highway 7 will be successful.

We thank you for your time and consideration in this important matter. We wish to be notified of any decision you make with respect to these applications.

Yours very truly,

A handwritten signature in black ink that reads "Al Burton / asb". The signature is fluid and cursive.

Al Burton

AB/ab

cc: Client