

Patrick G. Duffy
Direct: +1 416 869 5257
PDuffy@stikeman.com

June 9, 2023
File No.: 122567.1093

By E-mail
clerkspublic@markham.ca

Legislative Department
Markham Civic Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

Attention: Development Services Committee

Dear Sirs/Mesdames:

**Re: 2851 John Street, City of Markham (“Subject Lands”)
Comprehensive Zoning By-law Project, File No. PR 13 128340 (10.5)**

We represent John Street Holdings Inc., the owner of the Subject Lands, with respect to the City’s Comprehensive Zoning By-law (“**CZBL**”) Project.

The Subject Lands are located on the south west corner of John Street and Woodbine Avenue. The Subject Lands are currently occupied by a two-storey mixed use non-residential building consisting of office uses, service uses, financial institution use and restaurant use. The existing building was constructed in 1984. The Subject Lands have a lot frontage of 50.9 metres.

The Subject Lands are zoned Select Industrial and Limited Commercial Zone under By-law 108-81 and are subject to site specific zoning under By-law 321-84 and a Committee of Adjustment approval (A/83/114). The site specific zoning specifies that “Restaurant” is an additional permitted use on the Subject Lands.

The draft CZBL proposes to rezone the Subject Lands to Employment-Service Employment (EMP-SE). The permitted uses in the EMP-SE zone do not reflect the existing site-specific zoning for the Subject Lands – specifically, a restaurant is not included as a permitted use in the EMP-SE zone. The draft CZBL also requires a minimum lot frontage of 60 metres in the EMP-SE zone that is greater than the lot frontage of the Subject Lands.

On October 1, 2021, MHBC Planning, Urban Design & Architecture (“**MHBC**”) submitted a letter of comment to City staff requesting an exemption for the Subject Lands be included in the Exemption Section of the draft CZBL that states:

- 1. Notwithstanding the permitted uses within the EMP-SE zone, restaurant use shall also be permitted on lands municipally addressed as 2851 John Street.*
- 2. Notwithstanding the minimum lot frontage within the EMP-SE zone, the minimum lot frontage shall be 50.9 m for lands municipally addressed as 2851 John Street.*

As the requested exemption did not appear in the draft CZBL, MHBC reiterated this request in a letter to City staff dated May 8, 2023. Copies of the MHBC letters are enclosed. Staff did not respond to MHBC's request for a meeting to discuss the proposed exemption.

The requested exemption has not been incorporated into the draft CZBL that will be presented to the Development Services Committee at its meeting of June 12, 2023. **While our client is generally supportive of the proposed draft CZBL, we request that the Committee refuse staff's recommendation to finalize and bring forward the draft CZBL at the next Council meeting and direct staff to incorporate the requested exemption for the Subject Lands in the draft CZBL.**

If our client's concerns are not adequately addressed in the CZBL, we will have no choice but to appeal the CZBL to the Ontario Land Tribunal.

We thank you for your consideration of this matter.

Yours truly,



Patrick G. Duffy

PGD/sb
Encl.

cc. Steven Bishop, *North American Development Group*
Jonathan S. Cheng, *Stikeman Elliott LLP*
David McKay, *MHBC Planning, Urban Design & Architecture*

June 8, 2023

MGP File: 18-2730

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts, Manager

Dear Mr. Roberts:

**RE: Memory & Company
100 Renfrew Drive, Suite 110, Markham ON
Preliminary Comments on City of Markham Draft New Zoning By-law**

Malone Given Parsons Ltd. (“MGP”) are the land use planners for Memory & Company, who operate their business out of Suite 110 within 100 Renfrew Drive (the “Subject Lands”). On behalf of Memory & Company, we reviewed the staff report and the Draft New Comprehensive Zoning By-law (the “Draft ZBL”) that was considered at the May 9, 2023 Statutory Public Meeting and would like to provide preliminary comments for staff consideration on the Draft ZBL as it relates to the Subject Lands.

1.0 Site Context

Memory & Company provides a private, for-profit, health centre and respite hotel facility with the primary goal of attending to the physical and cognitive fitness of older adults with physical and cognitive disabilities, with an emphasis on Alzheimer’s and related dementias.

The Subject Lands are currently zoned “Select Industrial and Limited Commercial – M.C (60%)” in By-law 165-80, as amended.

Memory & Company has submitted Minor Variance applications and presented to the Committee of Adjustment multiple times to permit the respite hotel and health care centre uses on the Subject Lands. As we have previously stated to Markham staff and Committee, it continues to be our opinion that these uses are currently permissible under the definition of a health centre and hotel under By-law 165-80, as of right. In 2014, an application was approved by the Committee of Adjustment (A/105/14), which allowed Memory & Company to begin operations within unit 110 of the Subject Lands as a day care centre for older adults with Alzheimer’s and related disabilities. In 2018, an application was approved (A/115/18), which allowed Memory & Company to operate 10 bedrooms with ensuite washrooms as overnight accommodations on a short-term basis (a “respite hotel”). In 2020, an application was approved (A/122/20), which permitted an additional respite care suite, for a total of 11

bedrooms and ensuite bathrooms.

We have recently submitted another Minor Variance application to permit the operations of a health centre and a respite hotel and provide additional bedrooms and ensuite washrooms at 100 Renfrew Drive for older adults with Alzheimer's and related disabilities. The scope this request was for the entirety of the Subject Lands as it continues to be our interpretation that the use is permitted as of right under the definitions of "Health Centre" and "Respite Hotel" under By-law 165-80.

Given that the City is undertaking their review of the Draft ZBL, we would like to provide further comments with respect to the proposed permitted uses on the Subject Lands.

2.0 Draft Comprehensive ZBL

Upon our initial review of the new Markham Draft Comprehensive Zoning By-law, the Subject Lands are proposed to be zoned as "Employment – Business Park (EMP-BP)", which permits the following uses:

- a) Those uses that legally existed on the date this By-law was enacted by Council
- b) Business office
- c) Cannabis establishment
- d) Commercial parking lot or garage
- e) Craft Brewery
- f) Financial institution
- g) Fitness Centre, Recreational
- h) Hotel
- i) Industrial use
- j) Massage establishment
- k) Personal service establishment
- l) Restaurant
- m) Retail store
- n) Service and repair establishment
- o) Trade and convention centre

The Draft ZBL includes new definitions specifically for respite uses including a "Respite Care Home" and a "Respite Day Program Establishment". They are defined as follows:

- **Respite Care Home** means a temporary institutional care of the infirmed, sick, elderly, or other persons requiring supervised care for overnight stays, and may include an accessory respite day program establishment.
- **Respite Day Program Establishment** means a non-profit and non-commercial establishment offering the temporary care of older adults, persons with disabilities, or other persons requiring supervised care on a temporary basis, which provides day programs, education, training or supervision to participants, such as an adult day program, but does not include overnight stays. Child care centres or schools are not considered as respite day program establishments.

The separation of these use permissions and the preclusion of private facilities is unnecessarily restrictive and specifically impacts our client's ability to continue to operate

their business. The Draft ZBL individually permits a hotel, spa, personal services, and education uses, which when they are combined they reflect the use that is currently operated by our client. Since Memory & Company began operations on the Subject Lands, this use has been demonstrated to not only be compatible within the business park, but is in high demand and will continue to provide a necessary service as our population ages. In addition, the use will continue to occupy space in the building while demand for office space is, and will continue to be, in low demand following the changing nature of work following the pandemic.

It is our opinion that the use of our client's lands is permissible as of right under the current definitions for hotel use and health care centre use under By-law 165-80. Given that this has been misinterpreted in the past, we request that as part of the Draft ZBL review process, the City create a more general use permission and definition in the Draft ZBL to contemplate our client's use and similar uses. We propose that the following definition be added to the Draft By-law:

- **Respite Stay Establishment** means an establishment offering the temporary care of older adults, persons with disabilities, or other persons requiring supervised care on a temporary basis, which provides day programs, personal care, education, training or supervision to participants, such as an adult day program and overnight stays. Child care centres or schools are not considered as respite day program establishments.

The inclusion of this definition and use permission in the by-law conforms to the intent of the Official Plan. Under the 2014 Official Plan, the Subject Lands are designated Business Park Employment in accordance with Official Plan Map 3-Land Use. The Business Park Employment designation permits sports and fitness recreation uses within a non-industrial building as an ancillary use (Section 8.5.2.2.h) and short term stay facilities in the form of hotels and other similar uses consistent with the planned function and policies of the category of designation (Section 8.5.2.2.c). The proposed "Respite Stay Establishment" use meets the general intent and purpose of the Business Park Employment designation as it provides health and fitness recreational opportunities – such as yoga, dance, and spa activities – and short term stay for members of the community and employees of the business park who could drop off their loved ones nearby. The inclusion of the Respite Stay Establishment use in the EMP-BP zone represents good planning as it is permissible under the Official Plan and is compatible with the other uses currently permitted in the EMP-BP zone and enhances the function of the business park area.

We request that staff add the definition of Respite Stay Establishment to the Draft ZBL and include it as a permitted use under the Employment – Business Park (EMP-BP) zone, and specifically include this as a permitted use on our client's lands, to allow the existing uses to continue operating on the Subject Lands and provide flexibility should the operations expand to the entire site.

3.0 Conclusion

We would like to thank City staff on their hard work preparing the Draft ZBL, and for giving us the opportunity to provide comments at this stage. We continue to review the Draft ZBL in detail and reserve the right to provide additional comments for the City's consideration. We request a meeting with staff to discuss the preliminary comments provided in this letter.

We also request to be notified of any future public consultation and Council meetings regarding the Draft ZBL. Notices should be sent to:

Matthew Cory / Elyse Holwell
Malone Given Parsons Ltd.
140 Renfrew Drive, Suite 201
Markham, ON, L3R 6B3
mcory@mgp.ca / eholwell@mgp.ca

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Matthew Cory, MCIP, RPP, PLE, PMP
Principal

cc. Client Infinity Care Homes Inc. o/a Memory & Company

June 9, 2023

Attn: Development Services Committee (DSC) Members

Re: Comprehensive Zoning By-law Review
Comments on Behalf of Weins Auto Group

Dear DSC Member,

Macaulay Shiomi Howson Ltd. (MSH) are the planning consultants for Weins Auto Group who own lands or operate businesses on lands throughout the City of Markham that are impacted by the proposed Comprehensive Zoning By-law Amendment (CZBL).

Specifically, Weins has concerns about the proposed CZBL and the potential impact to the following properties:

| Location | Address |
|-------------------------------------------|------------------------------------|
| Don Valley North Lexus | 3120 Steeles Ave. East Markham, ON |
| Don Valley North Toyota | 3300 Steeles Ave. East Markham, ON |
| Don Valley North Hyundai/ Genesis Markham | 7537 Woodbine Ave, Markham, ON |
| Markville Toyota | 5362 Hwy 7, Markham, ON |
| Body shop | 391 John St., Thornhill, ON |

Each of these properties currently has site specific zoning by-laws which were approved and in-effect for many years. The CZBL, to different degrees, proposes to amend the zoning permissions and development standards on the sites, which have the effect of limiting the potential and future uses on the site, and possibly impacting current or future operations, including future expansions or renovations to the buildings.

It is our opinion that each of these sites should be included within an exception section of the CZBL, such that the current permissions and standards remain.

The CZBL has the potential to seriously impact these sites. The draft of the CZBL was issued in late April 2023 and a statutory public meeting was held in early May 2023. We made a deputation at the statutory public meeting and were able to meet with staff as a follow up (which is much appreciated).

However, we are concerned with the speed upon which the by-law is moving ahead for approval, as it has not left sufficient time for the concerns outlined above to be resolved. It is our opinion that additional time is required to understand the full impacts of the CZBL on these properties and have the time to make the necessary revisions.

Therefore, we would recommend that DSC refer the CZBL back to staff to continue to work with impacted landowners on the necessary exceptions to the by-law.

In its current form, Weins cannot support the CZBL. However, it is our opinion that with additional time, we will be able to resolve our concerns and allow the CZBL to move ahead.

We look forward to continue working with staff and DSC on this exciting project, should you have any questions regarding the information contained herein, please contact me directly, thank you.

Sincerely,
MACAULAY SHIOMI HOWSON LTD.

Nick Pileggi

Nick Pileggi, MCIP, RPP
Principal

June 9, 2023

Attn: Development Services Committee (DSC) Members

Re: Comprehensive Zoning By-law Review
Comments on Behalf of White Owl Properties

Dear DSC Member,

Macaulay Shiomi Howson Ltd. (MSH) are the planning consultants for White Owl Properties (including sibling companies Miller Waste and Miller Transit) who own lands or operate businesses on lands throughout the City of Markham that are impacted by the proposed Comprehensive Zoning By-law Amendment (CZBL).

Specifically, White Owl has concerns about the proposed CZBL and the potential impact to the following properties:

- 8050 Woodbine Ave.
- 405 Miller Ave. Or 7781 Woodbine Ave.
- 300 Rodick Road

Each of these properties currently has site specific zoning by-laws which were approved and in-effect for many years. The CZBL, to different degrees, proposes to amend the zoning permissions and development standards on the sites, which have the effect of limiting the potential and future uses on the site, and possibly impacting current or future operations, including future expansions or renovations to the buildings.

It is our opinion that each of these sites should be included within an exception section of the CZBL, such that the current permissions and standards remain.

The CZBL has the potential to seriously impact these sites. The draft of the CZBL was issued in late April 2023 and a statutory public meeting was held in early May 2023. We made a deputation at the statutory public meeting and were able to meet with staff as a follow up (which is much appreciated).

However, we are concerned with the speed upon which the by-law is moving ahead for approval, as it has not left sufficient time for the concerns outlined above to be resolved. It is our opinion that additional time is required to understand the full impacts of the CZBL on these properties and have the time to make the necessary revisions.

Therefore, we would recommend that DSC refer the CZBL back to staff to continue to work with impacted landowners on the necessary exceptions to the by-law.

In its current form, White Owl cannot support the CZBL. However, it is our opinion that with additional time, we will be able to resolve our concerns and allow the CZBL to move ahead.

We look forward to continue working with staff and DSC on this exciting project, should you have any questions regarding the information contained herein, please contact me directly, thank you.

Sincerely,
MACAULAY SHIOMI HOWSON LTD.

Nick Pileggi

Nick Pileggi, MCIP, RPP
Principal

June 9, 2023

MGP File: 17-2649

Development Services Committee
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W3
via email: clerkspublic@markham.ca; jjones@markham.ca

**Attention: Regional Councillor Jim Jones
Chair, Development Services Committee
Planning – Development & Policy**

Dear Councillor Jones and Members of Development Services Committee

**RE: National Spiritual Assembly of the Bahá'í's of Canada
7015, 7200 & 7290 Leslie Street, Thornhill
June 12, 2023 Item 4.2: Comprehensive Zoning By-law**

Malone Given Parsons Ltd. (“MGP”) are the land use planners for National Spiritual Assembly of the Bahá'í's of Canada (“NSA Bahá'í”), the owner of the lands municipally known as 7200, 7290, and 7015 Leslie Street in the City of Markham. On behalf of NSA Bahá'í, we have reviewed the new Draft Comprehensive Zoning By-law (“Draft CZBL”) and associated Staff Report that was considered at the May 9, 2023 Statutory Public Meeting. This letter provides preliminary comments to the **“Recommendation Report, Phase 3B: New Comprehensive Zoning By-law Project, File PR 13 128340”** that will be presented at the Development Services Committee Meeting on June 12, 2023. We have issues with the Draft CZBL as it relates to the NSA Bahá'í lands and its future redevelopment proposal.

OPA and ZBA Applications on NSA Bahá'í Lands

As you are aware, MGP has submitted applications for Official Plan and Zoning By-law Amendments (PLAN 22 262723) for the Bahá'í properties municipally known as 7200 and 7290 Leslie Street to the City of Markham. The applications support the construction of a new Bahá'í National Centre (“BNC”) at 7200 Leslie Street and a Bahá'í Canadian National Temple at 7290 Leslie Street.

Current Zoning of NSA Bahá'í Lands

The entirety of 7200 Leslie Street and the southern 2/3rd of 7290 Leslie Street are currently zoned “*Single Family Special Residential Third Density (SR3)*” under Zoning By-law 1767. Single family detached dwellings, parks and playgrounds, public schools and other municipal institutions, medical offices in the private residence, **AND churches and religious institutions** subject to specific yard and parking requirements are currently permitted at 7200 and 7290 Leslie Street (See *By-law 1767 Section 12 – General Provisions for Residential Zones viii) Permitted Land Use*).

7015 Leslie Street is currently zoned “Open Space (O1)” and “Open Space (Holding) (HO1)” under Zoning By-law 2612, as amended and “Open Space One (O1)” under Zoning By-law

304-87, as amended. The existing parking area, building and tennis courts are in the northern part of the property, which is subject to Bylaw 2612, so this summary focuses on those existing use permissions. By-law 2612, as amended, currently permits the following uses in the Open Space (O1) Zone:

- Community Centres
- Conservations Works
- Equestrian Clubs
- Golf Courses
- Parks and playgrounds
- Skating Rinks
- Tennis Courts

Proposed CZBL Zoning of NSA Bahá'í Lands

The Draft CZBL proposes to zone the entirety of 7200 Leslie Street and a portion of 7290 Leslie Street as “*Residential - Established Neighbourhood Low Rise (RES-ENLR)*” which would remove the existing “churches and religious institution” use permissions currently afforded under ZBL 1767. The Bahá'í National Centre of Canada is currently located at 7200 Leslie Street. The submitted applications for OPA and ZBA propose an expansion to this facility as well as the construction of a Bahá'í house of worship (national temple) at 7290 Leslie Street. Furthermore, the Draft CZBL proposes to rezone a portion of 7290 Leslie Street from Residential to “Greenway One (GWY1)” that is not consistent with the limits of the natural areas identified through detailed Environmental Impact Studies by GEI Consultants and in consultation with City Staff and TRCA.

Through correspondence with City Staff, we understand that these two properties – 7200 and 7290 Leslie Street - will be removed from the CBZL at this time to allow the applications to determine the final zoning for these properties. We support staff direction in this regard.

However, we understand that the other Bahá'í property not subject to active applications - 7015 Leslie Street- is not proposed to be removed from the CBZL. At the time of submission of the above noted applications, no change in use or redevelopment was proposed for 7015 Leslie Street. However, following from concerns raised by the Public at the May 23 Public Meeting, this property -7015 Leslie Street- has been identified as providing an opportunity to help improve existing parking and pedestrian access along Leslie Street from Steeles Ave north as part of the active development applications.

This property (7015 Leslie Street) is the former home of the Mayfield Tennis Club and the Adventure Valley Day Camp, it currently contains a large parking area, clubhouse like building with outdoor pool and numerous outdoor tennis courts. The Bahá'í purchased this property in 2016 for their programming and run the “Don Valley Educational Centre” from this location. The Bahá'í had hopes of expanding the educational and service offerings at this location, however, given floodplain constraints, resolved to redevelopment 7200 and 7290 Leslie Street instead. Nonetheless, the Baha'i still plan to continue use of this property and the existing building in situ for their programming offered by the Bahá'í Training Institute of Ontario. To implement these programs, this property provides space as needed for plenary sessions, small group study, educational and service events, and other community outreach programs such as youth day camps, arts and craft activities, outdoor play and recreation. Furthermore, the property provides a space for other gatherings and

meetings organized by the Bahá'í Community such as holy day celebrations, community and administrative meetings, conferences, and storage of educational books and materials.

The Comprehensive Zoning By-law before Development Services Committee Meeting on June 12, 2023 (Item 4.2: New Comprehensive Zoning By-law Project, File PR 13 128340) is proposing to rezone the entirety of 7015 Leslie Street from **Open Space** zones to **Greenway 1 (GWY 1)**. The Greenway 1 zone is the most restrictive zone in the new Comprehensive By-law and only permits:

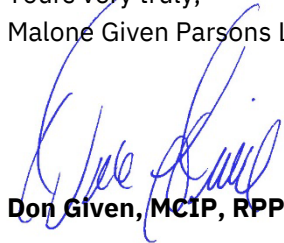
- Conservation Use
- Forest Management
- Legally existing dwellings
- Home Occupation

We are concerned that the current uses of this property are not permitted under this blanket Greenway Zone and would not be legally deemed “legal non-conforming uses” as there are no official records with the City regarding the Bahá'í usage. Furthermore, we don't believe that zoning provision under section 2.4e) regarding refinements to the GWY 1 zone provides enough flexibility and clarity to refine or modify the extent of the Greenway 1 zones and would require a separate and costly development application just to support the current uses of this property.

Given that this property is now being considered as part of the Bahá'í redevelopment proposal to support City improvements to the Leslie Street ROW (such as raising Leslie out of flood hazard, adding a multi-use path or trail and shared parking arrangements), **we request that it also be removed from the Comprehensive By-law at this time and added to the above noted development applications.** Applying a blanket GWY 1 to the property would not only restrict the continuation of the current uses of the property, but it may also impact the opportunities this property affords to help improve Leslie Street and create more parking infrastructure to support the existing the public parks and trail systems in this area as well as the Bahá'í Temple.

As such, we request ALL the Bahá'í properties, 7015, 7200 and 7290 Leslie Street be removed from the CZBL at this time to allow the active development applications to determine the appropriate zoning for these lands. Thank you for the opportunity to provide comments on the Draft CZBL. We will continue to review the Draft CZBL in detail and reserve the right to provide additional comments for the City's consideration as NSA Baha'i proceeds with their development applications.

Yours very truly,
Malone Given Parsons Ltd.



Don Given, MCIP, RPP

Cc: Mayor and Members of Council
Ward Councillor Keith Irish (kirish@markham.ca)
Rick Cefaratti, City of Markham (rcefaratti@markham.ca)
Goef Day, City of Markham (gday@markham.ca)
Stephen Lue, City of Markham (slue@markham.ca)



Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

June 11, 2023

GWD File:
21.2776.00 CZBL

The Corporation of the City of Markham
Development Services
101 Town Centre Boulevard
City of Markham, Ontario
L3R 9W3

Attention: Mr. Geoff Day, Senior Planner II

- AND -

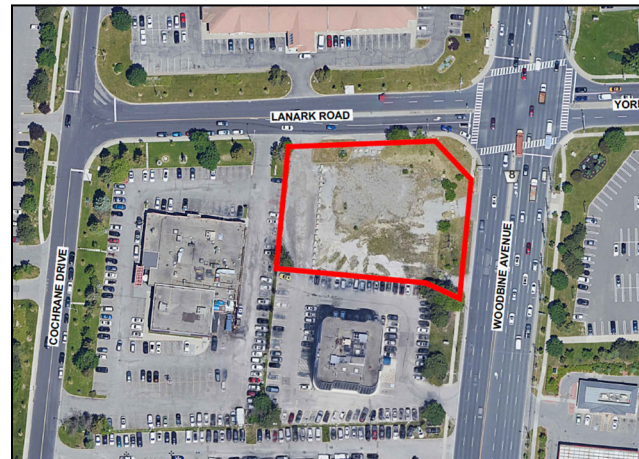
Mr. Bradley Roberts, Manager – Development Facilitation Office

Subject: PUBLIC INPUT – June 12, 2023 Development Services Committee
Item 4.2 – New Comprehensive Zoning By-law Project
City File: PR 13 128340
HNT Inc.

Dear Geoff and Bradley:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to HNT Inc., the Registered Owner of 8310 Woodbine Avenue, in the City of Markham (hereinafter referred to as the “subject site”).

The subject site is located at the southwest corner of Lanark Road and Woodbine Avenue.



GAGNON WALKER DOMES LTD.

7685 Hurontario Street, Suite 501 • Brampton ON Canada L6W 0B4 • P: 905-796-5790
www.gwdplanners.com • Toll Free: 1-855-771-7266

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It is designated 'Commercial' in the City's 2014 Official Plan and zoned 'Select Industrial and Automotive Commercial (M.AC)' pursuant to Zoning By-law No. 165-80; as amended.

By way of background a Zoning By-law Amendment Application was filed on September 9, 2022 and deemed "Complete" on November 8, 2022 (City File: PLAN 22 258667). The purpose and effect of the application is to facilitate the development of a 1-storey multi-unit commercial building. The Application has been circulated to City Departments and external agencies and the Statutory Public Meeting was held on February 6, 2023.

New Comprehensive Zoning By-law Project

The New Comprehensive Zoning By-law proposes to rezone the subject site 'Commercial (COM)'. Given the active application that being processed we respectfully request that the 8310 Woodbine Avenue be excluded from the New Zoning By-law. The exclusion will allow the approvals process that is underway to reach completion.

Consistent with our request we understand that Staff are proposing that all lands that are subject to active development applications to be excluded. In the fullness of time all excluded areas will be incorporated into the New By-law.

Closing Remarks

Thank you for the opportunity to provide comments on the New Comprehensive Zoning By-law Project. Our Client reserves the right to provide further comments as necessary prior to Council approval of the By-law.

Kindly accept this letter as our formal request to be notified of all future Open Houses, Public Meetings, Planning Committee and Council meetings to be held in connection with the City's zoning project. Lastly, we request notification of the passage of any and all By-laws and/or Notices on this matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Marc De Nardis', is written over a horizontal line.

Marc De Nardis, B.U.R.P.I., M.C.I.P., R.P.P.
Planning Associate

mdenardis@gwdplanners.com

**C.c.: C. Messere, Development Services Manager, West Planning District
H. Miller, Hailey Miller, Planner II, West Planning District
HNT Inc.
M. Gagnon, Gagnon Walker Domes Ltd.
M. Harris, Gagnon Walker Domes Ltd.**



Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

June 11, 2023

**GWD File:
23.3267.00 CZBL**

**The Corporation of the City of Markham
Development Services
101 Town Centre Boulevard
City of Markham, Ontario
L3R 9W3**

Attention: Mr. Geoff Day, Senior Planner II

- AND -

Mr. Bradley Roberts, Manager – Development Facilitation Office

**Subject: PUBLIC INPUT – June 12, 2023 Development Services Committee
Item 4.2 – New Comprehensive Zoning By-law Project
City File: PR 13 128340
Viola Ready Mix Inc.**

Dear Geoff and Bradley:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to Viola Ready Mix Inc. (Viola), the Beneficial Owner through an Agreement of Purchase and Sale of the property known municipally as 2655 14th Avenue in the City of Markham (hereinafter referred to as the “subject site”).

The subject site is located north of the Canadian National Railway (CNR), east of Highway 404, and west of Woodbine Avenue. The surrounding area is characterized by a mix of office, light industrial, and heavy manufacturing uses.

The subject site is designated ‘General Employment’ in the 2014 Markham Official Plan and zoned ‘Agricultural (A1)’ pursuant to Zoning By-law 2284-68; as amended. It is one of the few properties in the area that have not been zoned for industrial uses (refer to Zoning Map attached).

New Comprehensive Zoning By-law Project

The New Comprehensive Zoning By-law proposes to rezone the subject site ‘Employment – General Employment (EMP-GE)’. This zoning is characterized by large properties intended to accommodate single and multiple unit manufacturing, processing and warehousing uses.

GAGNON WALKER DOMES LTD.

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Closing Remarks

Viola is excited about the prospect of having the lands re-zoned for industrial purposes. They wish to express general support for the New By-law as it applies to the subject site. They reserve the right to provide further comments as necessary prior to Council approval of the By-law.

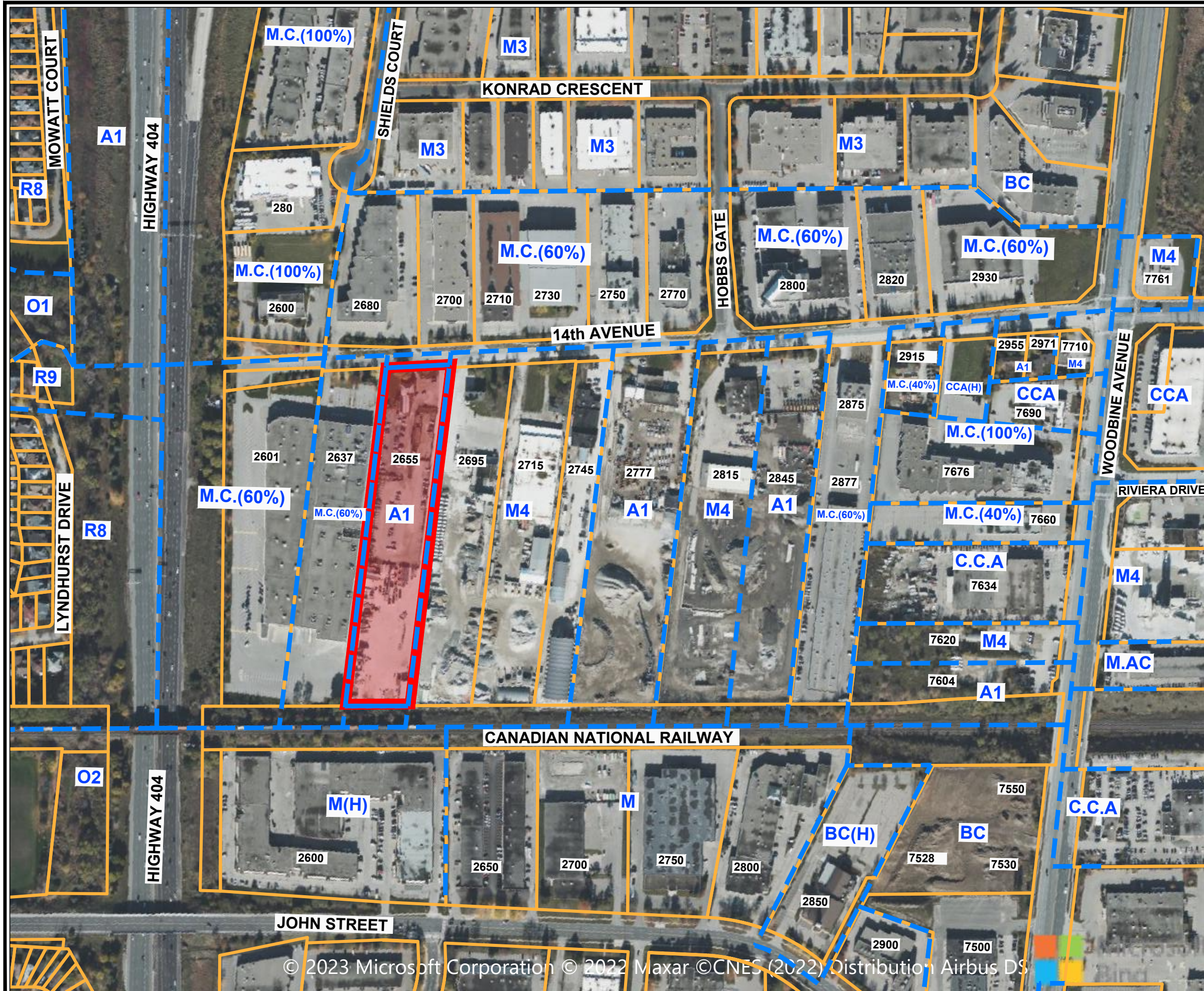
Kindly accept this letter as our formal request to be notified of all future Open Houses, Public Meetings, Planning Committee and Council meetings to be held in connection with the City's zoning project. Lastly, we request notification of the passage of any and all By-laws and/or Notices on this matter.

Yours truly,

Marc De Nardis, B.U.R.P.I., M.C.I.P., R.P.P.
Planning Associate

mdenardis@gwdplanners.com

**C.c.: C. Messere, Development Services Manager, West Planning District
Viola Ready Mix Inc.
M. Gagnon, Gagnon Walker Domes Ltd.
M. Harris, Gagnon Walker Domes Ltd.**



KEY MAP SUBJECT SITE N.T.S.

LEGEND

- SUBJECT SITE
- PROPERTY LINES
- ZONING BOUNDARIES
- XX ZONING CODE

AERIAL IMAGE OVERLAY with ZONING BOUNDARIES
2655 14th AVENUE
CITY of MARKHAM
REGION of YORK

| | |
|------------------|-------------------------------------------|
| P.N.: 22.3267.00 | Date: March 9, 2023 |
| Scale: N.T.S. | Revised: |
| Drawn By: D.S. | File No.: PN 3267_ Aerial_Images_MAR_2023 |





P-3426

June 9, 2023

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

Sent by Email: clerks@markham.ca

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

Attn: Hon. Mayor Scarpitti & Members of Council

**Re: Special Development Service Committee June 12, 2023
Item 4.2 Comprehensive Zoning By-law Project
Client: Garden Homes (Markham) Inc.
73 Main St. S
Part of Lots 4, 5, 6 and 7, Block B, Registered Plan 18
City of Markham, ON**

Hon. Mayor Scarpitti & Members of Council,

KLM Planning Partners have been participating in the Comprehensive Zoning By-law Project on behalf of Garden Homes (Markham) Inc. as it relates to their property at 73 Main Street south (the "Subject Lands") located at the southeast corner of Main Street South and Mill Street.

We would like to thank the staff for endorsing our request that the Subject Lands be removed from the Comprehensive Zoning By-law as requested in previous comments in our letters dated May 2, 2023 and September 29, 2022.

However, upon review of the proposed Schedule H6 to the comprehensive zoning by-law we note that the lands identified as "Area Excluded from Zoning By-Law" does not include the entire boundary of the existing site-specific zoning by-law amendment that was approved for the site and land use by the Ontario Land Tribunal on July 7, 2021.

We understand from discussion with staff that this boundary adjustment can be accommodated as part of the finalization of the Comprehensive Zoning By-law to be enacted at the next available Council meeting.

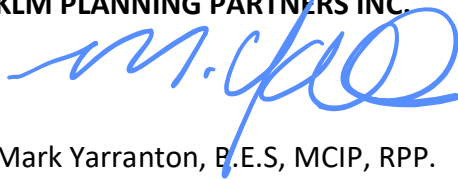
As requested by staff and to assist I have attached Schedule A that shows the boundary of area covered by the existing zoning by-law and I have marked the corresponding boundary on Schedule H6 in red to identify the entire area of land we wish to have excluded from the

Comprehensive Zoning By-law and we request that this revision be made to Schedule A, section 1.1 and to Schedule H6 prior to enactment.

We would request confirmation of receipt of this letter and that we are provided with notice of the Council meeting date and a copy of the proposed final by-law to be enacted and Notice of the Passing of the By-law.

Respectfully,

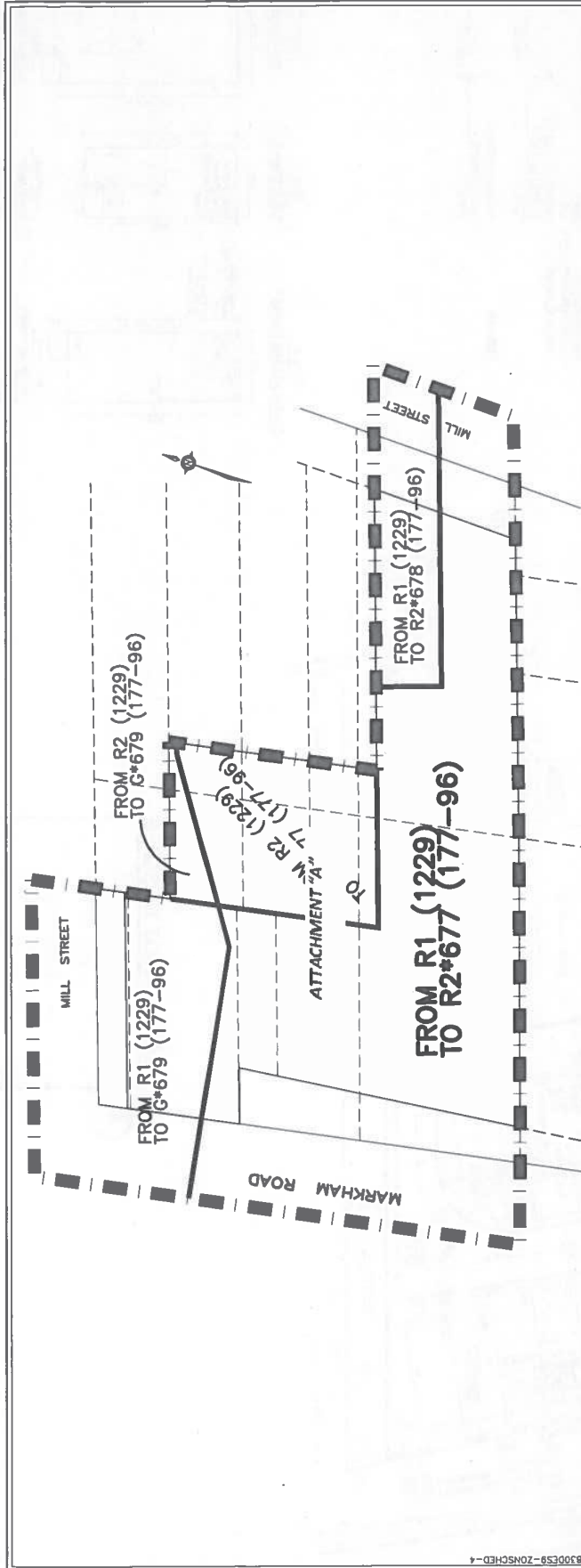
KLM PLANNING PARTNERS INC.



Mark Yarranton, B.E.S, MCIP, RPP.
Partner

cc: Geoff Day, Senior Planner – City of Markham;
Garden Homes (Markham) Inc.
Sal Crimi

ATTACHMENT "B"



**BY-LAW SCHEDULE "A" TO BY-LAW
A BY-LAW TO AMEND BY-LAWS 1229 AND 177-96 DATED**

- BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE TO BE DELETED FROM 1229 AND ADDED TO 177-96
- R1 (1229)
- R2 (1229)
- BOUNDARY OF ZONE DESIGNATION
- R2 RESIDENTIAL TWO (177-96)
- G GREENWAY (177-96)
- *(No) ZONE DESIGNATION

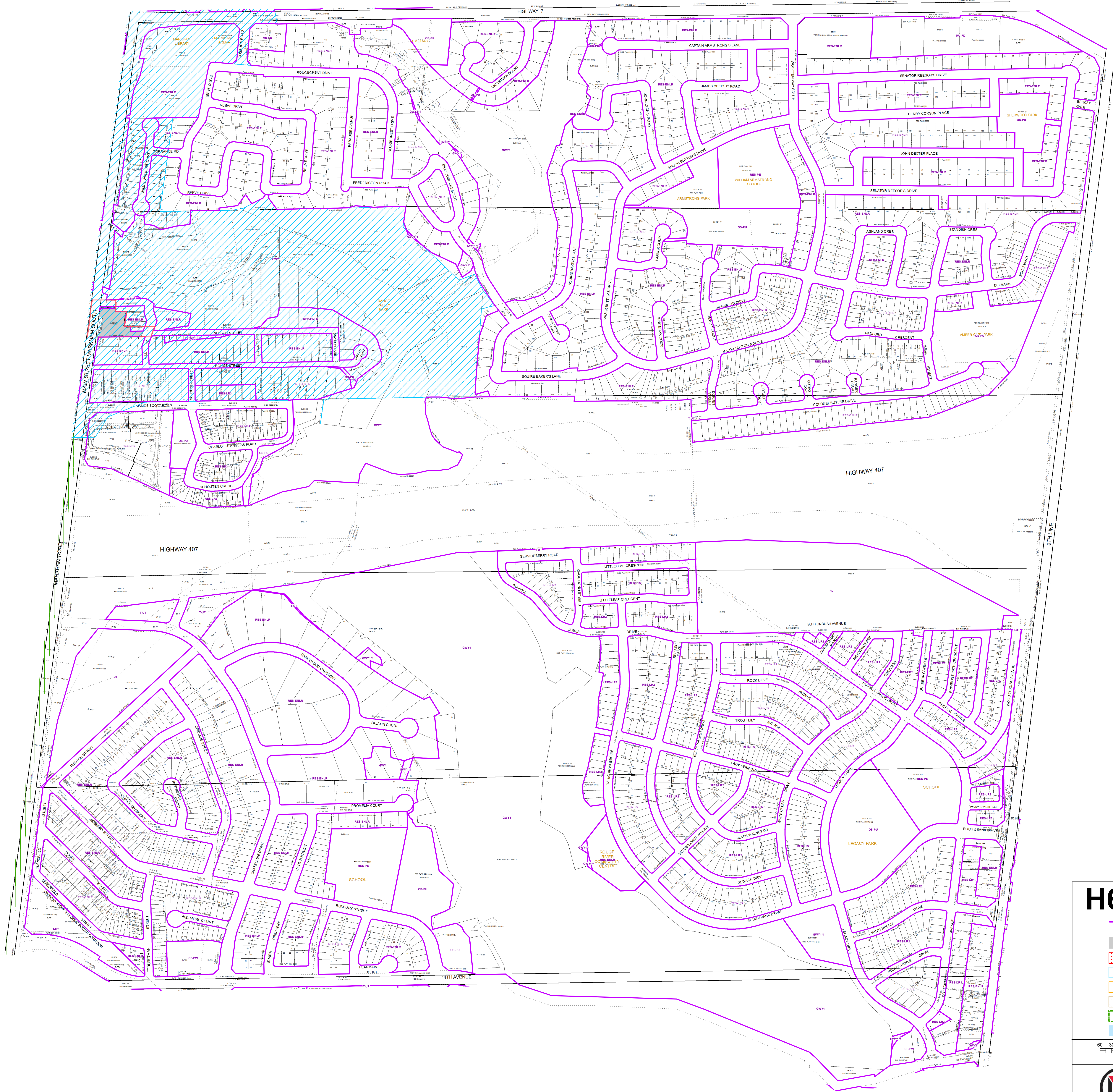
THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation extracted from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.



DEVELOPMENT SERVICES COMMISSION

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office

28300E59-ZONSCHED-4



H6 ZONING

- Zone Boundary
- Zone Designation
- Area Excluded from Zoning By-Law
- Special Policy Area
By-Law Nos 2006-150, 151, 152, 153, 154, 155
- Heritage Conservation District
- Minister's Zoning Order Airport
- Minister's Zoning Order Christ The King
- Minister's Zoning Order Parkway Belt West
- Area of High Aquifer Vulnerability

60 30 0 60 120 180 240 Meters

1:3000



Maintained by the Development Services Geomatics Group
Nov 23, 2015



P-3242

June 9, 2023

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

Sent by Email: clerkspublic@markham.ca

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

Attn: Hon. Mayor Scarpitti & Members of Council

**Re: Humbold Properties Limited
4118 14th Avenue and 85 Citizen Court
New Comprehensive Zoning By-law Project
The Corporation of the City of Markham**

Hon. Mayor Scarpitti & Members of Council,

KLM Planning Partners have been retained by Humbold Properties Limited to review the proposed Comprehensive Zoning By-law as it relates to their properties at 4118 14th Avenue and 85 Citizen Court (the "Subject Lands"). The Subject Lands are located on the north side of 14th Avenue, west of Kennedy Road, south of Citizen Court, east of Birchmount Road and are 3.4 hectares (34,315 square meters) in size making up part of the Citizen Business Park. On the northern part of the Subject Lands is a large employment building, known municipally as 85 Citizen Court. The building contains various commercial tenants including InSource, CFAA and Whole Health. Similarly, the southern part of the Subject Lands, known as 4118 14th Avenue, is an existing largescale employment building with tenants including Murata Power Solutions and Brighthomes Interior Group.

We have conducted a preliminary review for our client the latest version of the proposed Comprehensive Zoning By-law that will be considered at the June 12, 2023 Development Services Committee meeting ("Proposed ZBL"). We are concerned that the Proposed ZBL will negatively impact the Subject Lands as permitted today. Specifically, the Proposed ZBL excludes certain uses (Commercial Schools, Hotels and Motels amongst others) which reduces the list of use permissions that currently exists and introduces new development standards that restricts further development of the Subject Lands or expansion to no more than 10% of the total existing GFA.

We are still reviewing the proposed zone category and related provisions and standards in more detail, including how, if any, historically granted exceptions or variances have been incorporated, to ensure our client's interests are addressed.

Given the short period of time between the draft of the Proposed ZBL presented at the May 9, 2023 Public Meeting and the recommendation for approval of the Proposed ZBL at the June 12, 2023 DSC meeting, we respectfully ask that DSC consider a deferral of the approval to provide landowners, including our client, sufficient time to review and assess the potential impacts to their properties.

Alternatively, we request the Subject Lands be removed from the proposed Comprehensive Zoning By-law and be allowed to remain within By-law 177-96 as amended. We note from other requests and examples there is precedent for excluding certain lands from the application of the Proposed ZBL. In our opinion, this would be a simple and effective manner to ensure the Subject Lands continues to have the flexibility to continue to develop as originally permitted and planned.

We would also request confirmation of receipt of this letter and further notice of future updates to the Proposed ZBL as well as notice of any meetings regarding said by-law.

If there are any concerns with our request, we would be pleased to meet with Staff to discuss how best to address the concerns of our client.

Respectfully,

KLM PLANNING PARTNERS INC.



Billy Tung, B.E.S, MCIP, RPP
Partner

cc: Humboldt Properties Limited

June 9, 2023

By E-Mail Only to clerkspublic@markham.ca

Development Services Committee
101 Town Centre Blvd.
Markham, ON
L3R 9W3

Attention: Ms. Laura Gold, Council/Committee Coordinator

Dear Ms. Gold:

Re: **June 12, 2023 Special Development Service Committee Meeting
Item 4.2 - Comprehensive Zoning By-law Project, File No. PR 13 128340
Krashnik Investments Limited**

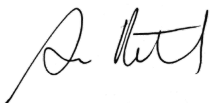
We are counsel to Krashnik Investments Limited, the registered owners of the lands municipally known as 9833 and 9829 Markham Road, in the City of Markham (the 'Subject Lands'). The Subject Lands are within the Mount Joy Secondary Plan Area.

It is our understanding pursuant to the material posted in connection with the above referenced matter on the City's website, including material posted in connection with next week's DSC's meeting, that the Mount Joy Secondary Plan area, including the Subject Lands, are excluded from the proposed new comprehensive zoning by-law.

As such, it is again our understanding that no part of the new comprehensive zoning by-law applies to the Subject Lands and that the Subject Lands will continue to be governed by the applicable zoning regulations for the Subject Lands that apply prior to the passage of the City's new Comprehensive Zoning By-law.

If our understanding is incorrect or Council directs the inclusion of the Subject Lands into the City's new Comprehensive Zoning By-law, we request notification and reserve our right to make further comments.

Yours sincerely,
DAVIES HOWE LLP



Susan Rosenthal
Professional Corporation

SR:SR

copy: Clients
Rosemarie Humphries, Humphries Planning Group Inc.



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
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klmplanning.com

P-3140

June 9, 2023

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

Sent by Email: clerkspublic@markham.ca

Attn: Hon. Mayor Scarpitti & Members of Council

**Re: Kennedy Road GK II Holdings Limited (Humboldt Properties Limited)
11715 Kennedy Road
New Comprehensive Zoning By-law Project
The Corporation of the City of Markham**

Hon. Mayor Scarpitti & Members of Council,

KLM Planning Partners have been retained by Kennedy Road GK II Holdings Limited (Humboldt Properties Limited) to review the proposed Comprehensive Zoning By-law as it relates to their property at 11715 Kennedy Road (the "Subject Lands"). The Subject Lands are located north of 19th Avenue, east of Kennedy Road and are 17.18 hectares (42.45 acres) in size.

We have conducted a preliminary review for our client the latest version of the proposed Comprehensive Zoning By-law that will be considered at the June 12, 2023 Development Services Committee meeting ("Proposed ZBL"). We are still reviewing the proposed zone categories and related provisions and standards in more detail, to ensure our client's interests are addressed.

Given the short period of time between the draft of the Proposed ZBL presented at the May 9, 2023 Public Meeting and the recommendation for approval of the Proposed ZBL at the June 12, 2023 DSC meeting, we respectfully ask that DSC consider a deferral of the approval to provide landowners, including our client, sufficient time to review and assess the potential impacts to their property.

We would also request confirmation of receipt of this letter and further notice of future updates to the Proposed ZBL as well as notice of any meetings regarding said by-law.

Respectfully,

KLM PLANNING PARTNERS INC.

A handwritten signature in blue ink, appearing to be 'Billy Tung', written over a circular stamp or seal.

Billy Tung, B.E.S, MCIP, RPP
Partner

cc: Humboldt Properties Limited



P-3426

June 9, 2023

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

Sent by Email: clerks@markham.ca

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

Attn: Hon. Mayor Scarpitti & Members of Council

**Re: Special Development Service Committee June 12, 2023
Item 4.2 Comprehensive Zoning By-law Project
Our client: Danvest Wismer Investments Limited
5315 Major Mackenzie Drive
City of Markham**

Hon. Mayor Scarpitti & Members of Council,

KLM Planning Partners have been participating in the Comprehensive Zoning By-law Project on behalf of Danvest Wismer Investments Limited (a company managed by Lindvest) as it relates to their property at 5315 Major Mackenzie Drive East (the "Subject Lands") located at the southeast corner of Major Mackenzie Drive East and McCowan Road.

We would like to thank the staff for addressing the comments in our previous letter dated May 25, 2023 as reflected in the Comprehensive Zoning By-law For DSC June 12, 2023 and on Schedule G4 which identifies our lands as "Area Excluded from By-law".

We would request confirmation of receipt of this letter and that we are provided with notice of the Council meeting date and a copy of the proposed final by-law to be enacted and Notice of the Passing of the By-law.

Respectfully,

KLM PLANNING PARTNERS INC.



Mark Yarranton, B.E.S, MCIP, RPP.
Partner

cc: Geoff Day, Senior Planner – City of Markham;
Shmuel Zimmerman, George Hofstedter, Anthony Martelli – Danvest Wismer
Investments Limited (a company managed by Lindvest)

CATTANACH HINDSON SUTTON VANVELDHUIZEN LLP
Barristers and Solicitors

J.Lachlan Cattanach, Q.C.
Lawrence R.S. Sutton, Q.C.
John R. Carruthers, B.A., LL.B.

Donald C. Hindson, B.A., LL.B., Q.C.
Albert J. VanVeldhuizen Professional Corporation
Terrence A. Pochmurski Professional Corporation

52 Main Street Markham North
Markham, Ontario, Canada
L3P 1X5

Telephone (905) 294-0666 x. 233
Facsimile (905) 294-5688
E-mail: terrence@cattanach.ca

June 9, 2023

TO:

SENT BY E-MAIL ONLY VIA ealligood@markham.ca

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

Attn.: Erica Alligood, Election & Committee Coordinator

**Re: Berczy Glen Community - City of Markham Proposed Comprehensive Zoning
By-law**

Dear Erica:

I am the lawyer for 1650 BB Limited and I am writing to inform you that my client objects to the application of the new comprehensive by-law project, file no. PR 12 128340 (10.5), specifically the D3 Zoning.

Attached is the letter from the Berczy Glen group's city planner, who has already spoken at the public meeting regarding this proposed bylaw and the Berczy block being excluded as a whole. My client's land is currently in the 177-96 Urban Area bylaw, and is now being considered for "Future Development " zoning (Part 12), versus staying as Agricultural – its current use.

My client is in support of being excluded alongside the entire Berczy block (per the letter from Gatzios attached), specifically for the reasons of unnecessary re-applications, amendments or variances for the current use of the land. My client's has already been through the OMB process in order to establish its current use, and the family of my client together with my office have maintained its approved use and wish to avoid any issues with the legal non-conforming uses they have already been awarded in the previous bylaws affecting their property.

In addition to unnecessary amendments to the proposed bylaw for the current land use, we also agree that this will cause confusion across bylaws for our neighbouring property that is currently being developed, and for any future land use of our property which has already

been designated under the previous bylaw for future development.

Yours truly,

CATTANACH HINDSON SUTTON VanVELDHUIZEN

Terry Pochmurski

Terrence Pochmurski

TAP:me

Attachment



June 9, 2023

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

VIA E-MAIL [clerkspublic@markham.ca]

Dear Mayor and Council,

**RE: NEW COMPREHENSIVE ZONING BY-LAW
WINTERBERRY DEVELOPMENTS LTD: 1 MINTLEAF GATE, MARKHAM, ON L3P 5X4
SOLFERINO DEVELOPMENTS INC.: 2695 14th AVENUE, MARKHAM, ON L3R 0H9**

On behalf of Winterberry Developments Ltd, the owner of 1 Mintleaf Gate and Solferino Developments Inc, the owner of 2695 14th Avenue ("Subject Sites") we submit this letter to identify our concerns in respects to the City of Markham's new Comprehensive Zoning By-law.

The respective Subject Sites had been acquired and are operating under the current parameters of the existing applicable zoning by-laws since 1993 and 2013. Though we applaud the efforts of consolidation of the existing zoning by-laws, particular sections within the New Comprehensive Zoning By-Law would cause adverse effects to the intended purpose and efficient operation of the Subject Sites called into question.

We are concerned that the new Comprehensive zoning By-law will limit the ability of the Subject Sites to continue with their current approved uses, setback and parking requirements, to name a few. We have specific concerns with provisions of the By-law including, but not necessarily limited to the following Sections:

- Section 1.6
- Section 4.8
- Section 5.9
- Section 5.10
- Section 7.2
- Section 9.3
- Section 9.4

We would be pleased to meet with City Staff to discuss our concerns in more detail and respectfully request notice of future updates to the proposed by-law as well as notice of any meetings or decisions regarding said by-law.

Thank you for your attention on the matter.

Regards,



Steven De Santis

stevend@historyhillgroup.com

416-736-9978 ext. 439

May 31, 2023

MGP File: 17-2622

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

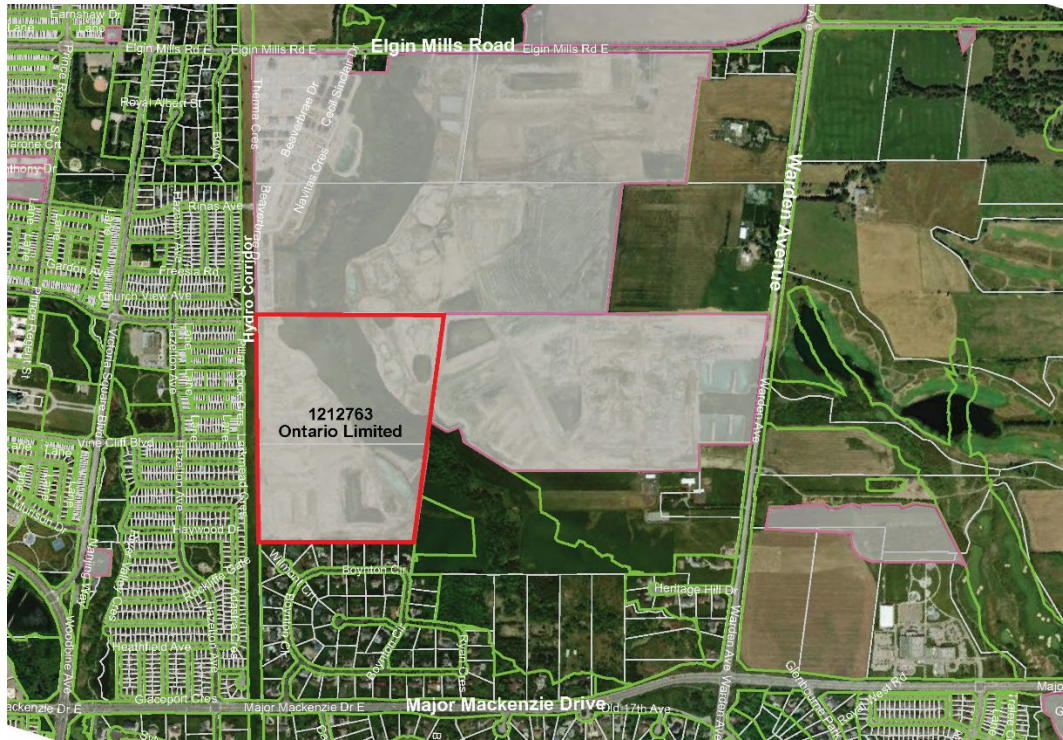
via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

RE: Comments on the Draft Comprehensive Zoning By-law Project
1212763 Ontario Limited (19TM-19005)
10271 Woodbine Avenue, City of Markham
PART LOTS 22 & 23, CONCESSION 4

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for 1212763 Ontario Limited, the owner of the lands municipally known as 10271 Woodbine Avenue in Markham (the “Subject Lands”). The Subject Lands are located in the southwest quadrant of the Berczy Glen Block, north of Major Mackenzie Drive, west of Warden Avenue, east of the Victoria Square Boulevard and the Hydro Corridor, and south of Elgin Mills Road (see figure below).



We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Subject Lands as “Area Excluded from the Zoning By-law”

The Subject Lands received Draft Plan of Subdivision approval (19TM-19005) in June 2021 and are zoned in Zoning By-law 177-96, as amended. The draft CZBL Zoning Map D3 identifies the Subject Lands as an “area excluded from the Zoning By-law”. The City’s online CZBL mapping tool also shows a gray “exclusion” tone on the Subject Lands. It is our understanding that the new CZBL will not be applicable to the Subject Lands, and the existing zoning by-law provisions will continue to apply. On this basis, 1212763 Ontario Limited supports this “exclusion” from the new CZBL.

Online Comprehensive Zoning By-law Mapping Tool Comments

Within the online CZBL mapping tool, the “Property Details Search” identifies Zoning Designations for the Subject Lands, a list which does not accurately reflect the approved Zoning Designations. It appears the zone “RRE” has been inadvertently added to the list. We are therefore requesting the “Property Details Search” be updated to remove the “RRE” Zone Designation and include on the approved zones for the Subject Lands as follows:

- R2-S*641
- R2-S*642
- R2-LA*650
- R1-F21*685
- R2-S*686
- R2-S*687
- R2-LA*688
- R2-LA*689
- G
- OS1
- OS2

Secondly, the “Property Details Search” identifies Official Plan Designations “Greenway” and “Future Neighbourhood Area”. The Berczy Glen Secondary Plan Official Plan Amendment No. 24 was approved in July 2019. The Subject Lands are designated “Residential Low Rise” and “Greenway” and although the City’s Official Plan *Map 3 – Land Use* has not been updated to reflect this approval, these are the land use designations that apply to the Subject Lands. We are requesting that where Secondary Plans have been approved and are in full force and effect, the designations be identified as such in the “Property Search Details”.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 21-3043

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

RE: Comments on the Draft Comprehensive Zoning By-law Project
Angus Glen North West Inc. and Angus Glen Holdings Inc.
10231 & 10233 Warden Avenue, City of Markham
PART LOTS 21, 22 & 23, CONCESSION 5

Malone Given Parsons Ltd. (“MGP”) is making this submission on behalf of Angus Glen North West Inc. and Angus Glen Holdings Inc., the owners of lands municipally known as 10565 Warden Avenue in the City of Markham (the “Subject Lands”). The Subject Lands are located in the northwest-mid quadrant of the Angus Glen Block, north of Major Mackenzie Drive, east of Warden Avenue, south of Elgin Mills Road and west of Kennedy Road (see figure on the following page). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Exclude the Subject Lands from the Comprehensive Zoning By-law

As per the draft CZBL Zoning Map E3, a portion of the Subject Lands is proposed to be excluded from the CZBL, with the balance proposed to be zoned “Future Development (FD)” and “GWY1”. We are requesting the Subject Lands in its entirety be excluded from the new CZBL as these lands have a Secondary Plan approval pending in the very near future which will designate the lands for urban residential development. Draft Plan of Subdivision and Zoning By-law Amendment approvals will follow in the future. We also note the lands in the adjacent Berczy Glen Secondary Plan and Robinson Glen Secondary Plan areas, as well as other Secondary Plan Areas and Future Urban Area lands have also been excluded from the new CZBL.

Figure 1: Location of the Subject Lands



Proposed GWY1 Zone Boundaries

We are not aware of any detailed environmental or natural heritage study which was used as the basis for the “GWY1” Zone limits as shown on the draft CZBL Map E3. We object to the delineation of environmental features and associated Zoning Designations without study or consultation. We object to the delineation of a Natural Heritage Network, environmental features and associated Zoning Designations that differ from the pending Angus Glen Secondary Plan mapping, as well as to lands that are pending approval and designated for urban development being zoned “GWY1”. We further request that language be added to “Section 2.4 Determining Zone Boundaries” stating that the boundaries of “CTS (H1)”, “GWY1”, “GWY2” and “GWY3” Zones reflect the most accurate information available and are to be confirmed, refined or modified in accordance with Official Plan Policy 3.1.1.3.

Public Infrastructure Not Permitted in the GWY1 Zone

The draft CZBL does not permit infrastructure in the GWY1 Zone. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The CZBL describes the GWY1 Zone as applying to lands within the Natural Heritage Network which is typically defined as natural features and their associated buffers.

Stormwater management facility outfalls and approved collector roads and crossings are examples of infrastructure that are required to cross through the Greenway lands and are currently permitted. Planning for urban residential development in the Angus Glen Block

includes a network of collector roads that will cross the proposed GWY1 zone. These collector road alignments were subject to a lengthy Municipal Class Environmental Assessment process that resulted in EA Act approval in September 2022. On this basis, the new CZBL should continue to permit this type of infrastructure recognizing that such proposals undergo careful review and scrutiny by the City and agencies prior to any approvals.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

“Stormwater Management Facility Pond means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

Conclusion

In summary, we are requesting the Subject Lands be excluded from the new CZBL.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 14-2314

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

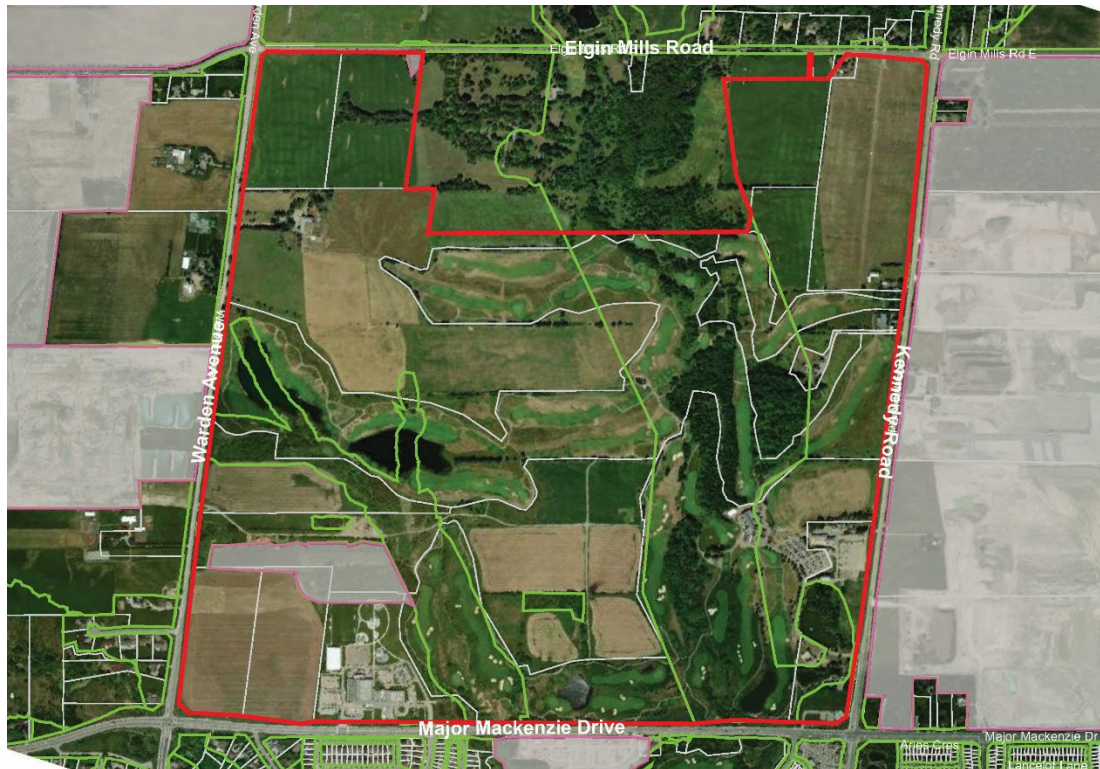
RE: Comments on the Draft Comprehensive Zoning By-law Project
ANGUS GLEN LANDOWNERS' GROUP:
Angus Glen Developments Ltd.,
Warden Angus Developments Inc.,
Angus Glen North West Inc.,
Angus Glen Holdings Inc., and
Warden Elgin Developments Limited
Stollery, Judith (Owner)
ANGUS GLEN SECONDARY PLAN AREA
NORTH MARKHAM FUTURE URBAN AREA, CITY OF MARKHAM

Malone Given Parsons Ltd. (“MGP”) is writing on behalf of the Angus Glen Landowners Group (“AGLG”) respecting the lands contained within the Angus Glen Secondary Plan which is pending approval. The lands are generally located north of Major Mackenzie Drive, east of Warden Avenue, west of Kennedy Road and south of Elgin Mills Road (“AGSP Lands”). The participating lands are shown as a red line on Figure 1 (see the following page). In addition to comments that have been submitted on behalf of each of the above-noted properties, we wish to provide the following summary of those comments made on the draft Comprehensive Zoning By-law (“CZBL”) applicable to the entirety of the AGSP Lands.

Exclude the AGSP Lands from the Comprehensive Zoning By-law

As per the draft CZBL Zoning Map E3, the AGSP Lands are proposed to be zoned “Future Development (FD)” and “GWY1”. We are requesting the entirety of these lands be excluded from the CZBL as these lands have a Secondary Plan approval pending in the very near future which will designate the lands for urban residential development. Draft Plan of Subdivision and Zoning By-law Amendment approvals will follow shortly thereafter. We also note the lands in the adjacent Berczy Glen Secondary Plan and Robinson Glen Secondary Plan areas, as well as other Secondary Plan Areas and Future Urban Area lands have also been excluded from the new CZBL.

Figure 1: Location of the Angus Glen Secondary Plan Lands



Angus Glen Golf Club

We object to the application of zones onto the Angus Glen Golf Club lands which do not permit the continued use of the lands by the Golf Club for its current use. The “Future Development (FD)” Zone does not permit existing non-agricultural uses nor does it permit golf course uses. Also, the proposed “GWY1” Zone does not permit existing uses, nor does it permit golf course uses, nor does it permit buildings and structures.

Proposed GWY1 Zone Boundaries

We note the AGSP Lands have undergone extensive and detailed environmental studies to delineate the limits of natural features and their associated buffers. These are shown in the AG Secondary Plan Maps and Schedules awaiting approval. We are not aware of any other detailed environmental or natural heritage studies used to form the basis for the “GWY1” Zone limits as shown on the draft CZBL Map E3, and object to the delineation of a Natural Heritage Network, environmental features and associated Zoning Designations that differ from the AG Secondary Plan mapping, as well as to lands that will be designated for urban development being zoned “GWY1”.

Public Infrastructure Not Permitted in the GWY1 Zone

The draft CZBL does not permit infrastructure in the “GWY1” Zone. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The draft CZBL describes the “GWY1”

Zone as applying to lands within the Natural Heritage Network which is typically defined as natural features and their associated buffers.

Stormwater management facility outfalls and approved collector roads and crossings are examples of infrastructure that are required to cross through the Greenway lands and are currently permitted. The Greenbelt Plan itself also permits this infrastructure subject to specific policies. Planning for urban residential development in the Angus Glen Block includes a network of collector roads that will cross the proposed “GWY1” zone. These collector road alignments were subject to a lengthy Municipal Class Environmental Assessment process and approved in September 2022. Stormwater management facilities are also permitted outside natural features and their associated buffers, in accordance with the Greenbelt Plan subject to specific policies. We object to a Zoning Designation that now prohibits this infrastructure. On this basis, the new CZBL should continue to permit this type of infrastructure recognizing that such proposals undergo careful review by the City and agencies prior to any approvals.

Stormwater Management Facilities Prohibited in the GWY2 Zone

The draft CZBL describes the “GWY2” Zone as applying to certain lands within the Greenway System that are identified in the Official Plan as “Other Greenway System Lands”. An example of this would be lands within the Greenbelt Plan that do not contain any natural features or their associated buffers. Stormwater management facilities are permitted outside natural features and their associated buffer, in accordance with the Greenbelt Plan subject to specific policies. The “GWY2” Zone however prohibits stormwater management facilities which we object to.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

“Stormwater Management Facility Pond means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

Conclusion

In summary, we are requesting that the entirety of the AGSP Lands be excluded from the new CZBL, that certain types of infrastructure be permitted in the “GWY1” Zone, that stormwater management facilities be permitted in the “GWY2” Zone, and that the term “stormwater management facilities” be defined and used throughout the new CZBL.

We would like to thank staff for their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 22-3156

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

RE: Comments on the Draft Comprehensive Zoning By-law Project
First Elgin Mills Developments Inc. and First Elgin North Ltd.
3208 Elgin Mills Road, City of Markham
PART LOTS 26 & 27, CONCESSION 4

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for First Elgin Mills Developments Inc. and First Elgin North Ltd., the owners of lands municipally known as 3208 Elgin Mills Road in the City of Markham (the “Subject Lands”). The Subject Lands are located in the southern portion of the Victoria Glen Block, north of Elgin Mills Road, east of Warden Avenue, west of the Hydro Corridor and south of 19th Avenue (see figure on the following page). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Exclude the Subject Lands from the Comprehensive Zoning By-law

The City is proposing to include the Subject Lands in the new CZBL with “Future Development (FD)” and “GWY1” Zones as per the draft CZBL Zoning Map D2_1.

The Subject Lands are contained within the Victoria Glen Secondary Plan, Official Plan Amendment No. 37 (“VG Secondary Plan”) and not yet zoned in Zoning By-law 177-96. The owner has made a consultation request and will be submitting Draft Plan of Subdivision and Zoning By-law Amendment applications in the very near future. We also note the lands in the adjacent Berczy Glen Secondary Plan and Robinson Glen Secondary Plan areas, as well as other Secondary Plan Areas and Future Urban Area lands have also been excluded from the new CZBL. On this basis, we are requesting the Subject Lands be excluded from the new CZBL and left with their current zoning until such time as the future development applications are processed by the City to apply the appropriate urban residential zones on the Subject Lands.

Figure 1: Location of the Subject Lands**Proposed GWY1 Zone Boundaries**

The Subject Lands have undergone detailed environmental studies, the limits of which are shown in the approved VG Secondary Plan. We are not aware of any other detailed environmental or natural heritage studies used to form the basis for the GWY1 Zone limits as shown on the draft CZBL Map D2_1. We object to the delineation of a Natural Heritage Network, environmental features and associated Zoning Designations that differ from the approved VG Secondary Plan, as well as to lands that have been approved and designated for urban development being zoned GWY1.

Conclusion

In summary, we are requesting the Subject Lands be excluded from the new CZBL.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.

Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 21-2985

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

RE: Comments on the Draft Comprehensive Zoning By-law Project
FRAM First Elgin Developments Inc.
3450 and 4044 Elgin Mills Road E, City of Markham
PART LOT 26 CONCESSION 4 & PART LOT 26 CONCESSION 5

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for FRAM First Elgin Developments Inc. (“FRAM First Elgin”), the owner of lands municipally known as 3450 and 4044 Elgin Mills Road East (the “Snider Farm” and “McGrisken Farm”, respectively) in the City of Markham (collectively referred to as the “Subject Lands”). The Subject Lands are generally located in the vicinity of Warden Avenue and Elgin Mills Road East, extending from Berczy Creek to Kennedy Road along the entire north frontage of Elgin Mills Road (see figure below). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Figure 1: Location of the Subject Lands



Exclude the Subject Lands from the Comprehensive Zoning By-law

Both properties were previously owned jointly with another owner who is no longer has ownership of the property. FRAM First Elgin has been the sole owner of both properties since May 2022.

The Snider Farm is located within the Future Urban Area Employment Block, lands that were brought into the Urban Area through the York Region Official Plan in 2009. The draft CZBL Map D2_1 excludes the easternmost portion of this property from the CZBL while the westernmost portion remains in the draft CBZL proposed to be zoned as “GWY1”. It is unknown to FRAM First Elgin why these lands are excluded from the CZBL. If it is due to an application made by the previous owner, we can advise that any such application has no status and will not be advanced nor will form the basis of any future application made by FRAM First Elgin.

The McGrisken Farm was brought into the Urban Area through the recently approved 2022 York Region Official Plan which designates the westernmost portion of the property as Employment Area and the easternmost portion as Community Area. As per the draft CZBL Zoning Maps E2_1, the Subject Lands are proposed to be zoned as follows:

- CTS (Countryside);
- CTS (H1) – as per Section 16.1, (H1) applies to lands within 30m of the boundary of the GWY1 Zone, a Holding Zone that can be lifted in accordance with Section 10.2.3 of the Official Plan;
- GWY1 (Greenway One); and
- GWY2 (Greenway Two).

We are requesting the Subject Lands in their entirety be excluded from the CZBL, just as the lands in other Secondary Plan Areas and Future Urban Area lands have been either excluded from the CZBL or zoned “Future Development (FD)”. The Subject Lands are contained within future Secondary Plans which will designate the lands for urban development. Draft Plan of Subdivision and Zoning By-law Amendment approvals will follow shortly thereafter the Secondary Plan approval.

Proposed GWY1 Zone Boundaries

We are not aware of any detailed environmental or natural heritage study which was used as the basis for the “CTS (H1)”, “GWY1” and “GWY2” Zones limits as shown on the draft CZBL Maps D2_1 and E2_1. We object to the delineation of environmental features and associated Zoning Designations without study or consultation. We further request that language be added to “Section 2.4 Determining Zone Boundaries” stating that the boundaries of “CTS (H1)”, “GWY1”, “GWY2” and “GWY3” Zones reflect the most accurate information available and are to be confirmed, refined or modified in accordance with Official Plan Policy 3.1.1.3.

Public Infrastructure Not Permitted in the GWY1 Zone

The draft CZBL does not permit infrastructure in the “GWY1” Zone. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The draft CZBL describes the “GWY1” Zone as applying to lands within the Natural Heritage Network which are typically defined as natural features and their associated buffers. A new “Transportation and Utilities” Zone has also been proposed which will be applied to lands used for infrastructure.

Stormwater management facility outfalls and approved collector road crossings are examples of infrastructure that are required to cross through the Greenway lands and are currently permitted. The new CZBL should continue to permit this type of infrastructure recognizing that such proposals undergo careful review and scrutiny by the City and agencies prior to any approvals.

Stormwater Management Facilities Prohibited in the GWY2 Zone

The draft CZBL describes the “GWY2” Zone as applying to certain lands within the Greenway System that are identified in the Official Plan as “Other Greenway System Lands”. An example of this would be lands within the Greenbelt Plan that do not contain any natural features or their associated buffers. Stormwater management facilities are permitted outside natural features and their associated buffer, in accordance with the Greenbelt Plan subject to specific policies. The “GWY2” Zone however prohibits stormwater management facilities which we object to.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The new CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

“Stormwater Management Facility Pond means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

Conclusion

In summary, we are requesting the Subject Lands be excluded from the new CZBL.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 21-3037

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

RE: Comments on the Draft Comprehensive Zoning By-law Project
Kennedy Elgin Developments Limited
11162 Kennedy Road, City of Markham
PART LOT 21 CONCESSION 7 & PART LOT 21 CONCESSION 8

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for Kennedy Elgin Developments Limited, the owner of lands municipally known as 11162 Kennedy Road in the City of Markham (the “Subject Lands”). The Subject Lands are located north of Elgin Mills Road, east of Warden Avenue, west of Kennedy Road and south of 19th Avenue (see figure on the following page). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

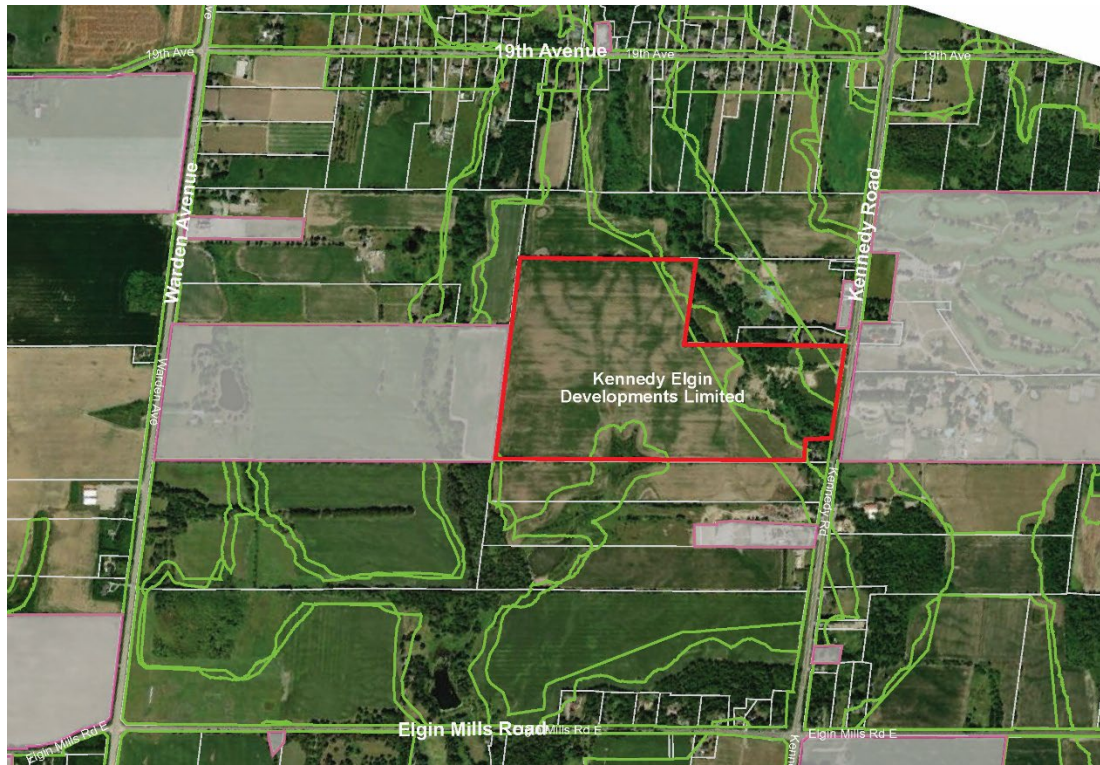
Exclude the Subject Lands from the Comprehensive Zoning By-law

The recently approved 2022 York Region Official Plan identifies the Subject Lands as Urban Area and designated Community Area. As per the draft CZBL Zoning Map E2_1, the Subject Lands are proposed to be zoned as follows:

- CTS (Countryside);
- CTS (H1) – as per Section 16.1, (H1) applies to lands within 30m of the boundary of the GWY1 Zone, a Holding Zone that can be lifted in accordance with Section 10.2.3 of the Official Plan;
- GWY1 (Greenway One); and
- GWY2 (Greenway Two).

We are requesting the Subject Lands be excluded from the CZBL, just as the lands in Robinson Glen Block, Berczy Glen Block, and other Secondary Plan Areas and Future Urban Area lands which have been either excluded from the CZBL or zoned “Future Development (FD)”. The Subject Lands are contained within a Secondary Plan area that will designate the lands for urban residential development. Draft Plan of Subdivision and Zoning By-law Amendment approvals to follow shortly thereafter.

Figure 1: Location of the Subject Lands



Proposed GWY1 Zone Boundaries

We are not aware of any detailed environmental or natural heritage study which was used as the basis for the “CTS (H1)”, “GWY1” and “GWY2” Zones limits as shown on the draft CZBL Maps E2_1. We object to the delineation of environmental features and associated Zoning Designations without study or consultation. We further request that language be added to “Section 2.4 Determining Zone Boundaries” stating that the boundaries of “CTS (H1)”, “GWY1”, “GWY2” and “GWY3” Zones reflect the most accurate information available and are to be confirmed, refined or modified in accordance with Official Plan Policy 3.1.1.3.

Public Infrastructure Not Permitted in the GWY1 Zone

The draft CZBL does not permit infrastructure in the “GWY1 Zone”. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The CZBL describes the GWY1 Zone as applying to lands within the Natural Heritage Network which is typically defined as natural features and their associated buffers. A new “Transportation and Utilities” Zone has also been proposed which will be applied to lands used for infrastructure.

Stormwater management facility outfalls and approved collector road crossings are examples of infrastructure that are required to cross through the Greenway lands and are currently permitted in By-law 177-96. The Greenbelt Plan itself also permits this infrastructure subject to specific policies. The new CZBL should continue to permit this type of infrastructure recognizing that such proposals undergo careful review and scrutiny by the City and agencies prior to any approvals.

Stormwater Management Facilities Prohibited in the GWY2 Zone

The CZBL describes the “GWY2” Zone as applying to certain lands within the Greenway System that are identified in the Official Plan as “Other Greenway System Lands”. An example of this would be lands within the Greenbelt Plan that do not contain any natural features or their associated buffers. Stormwater management facilities are permitted outside natural features and their associated buffer, in accordance with the Greenbelt Plan subject to specific policies. The “GWY2” Zone however prohibits stormwater management facilities which we object to.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

“Stormwater Management Facility Pond” means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

Conclusion

In summary, we are requesting the Subject Lands be excluded from the new CZBL.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 21-3048

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

**RE: Comments on the Draft Comprehensive Zoning By-law Project
Midnight Blue Developments Limited, Dark Blue Developments Limited and Light
Blue Developments Limited
10062, 10015 and 10131 Highway 48, City of Markham
PART LOT 21 CONCESSION 7 & PART LOT 21 CONCESSION 8**

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for Midnight Blue Developments Limited (“MBDL”), Dark Blue Developments Limited (“DBDL”) and Light Blue Developments Limited (“LBDL”), the owners of lands municipally known as 10062, 10015 and 10131 Highway 48 in the City of Markham (the “Subject Lands”). The Subject Lands are generally located in the vicinity of Highway 48 and Major Mackenzie Drive, in the Upper Markham Village Block (see figure on the following page). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Exclude the Subject Lands from the Comprehensive Zoning By-law

The recently approved 2022 York Region Official Plan identifies the Subject Lands as Urban Area and designated Community Area. As per the draft CZBL Zoning Map G3, the Subject Lands are proposed to be zoned as follows:

- CTS (Countryside);
- CTS (H1) – as per Section 16.1, (H1) applies to lands within 30m of the boundary of the GWY1 Zone, a Holding Zone that can be lifted in accordance with Section 10.2.3 of the Official Plan;
- GWY1 (Greenway One); and
- GWY2 (Greenway Two).

We are requesting the Subject Lands be excluded from the CZBL, just as the lands in Robinson Glen Block, Berczy Glen Block, and other Secondary Plan Areas and Future Urban Area lands which have been either excluded from the CZBL or zoned “Future Development (FD)”. The Subject Lands are contained within a Secondary Plan that is currently underway

which will designate the lands for urban residential development. Draft Plan of Subdivision and Zoning By-law Amendment approvals to follow shortly thereafter.

Figure 1: Location of the Subject Lands



Proposed GWY1 Zone Boundaries

We are not aware of any detailed environmental or natural heritage study which was used as the basis for the “CTS (H1)”, “GWY1” and “GWY2” Zones limits as shown on the draft CZBL Maps G3. We object to the delineation of environmental features and associated Zoning Designations without study or consultation. We further request that language be added to “Section 2.4 Determining Zone Boundaries” stating that the boundaries of “CTS (H1)”, “GWY1”, “GWY2” and “GWY3” Zones reflect the most accurate information available and are to be confirmed, refined or modified in accordance with Official Plan Policy 3.1.1.3.

Public Infrastructure Not Permitted in the GWY1 Zone

The draft CZBL does not permit infrastructure in the GWY1 Zone. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The CZBL describes the GWY1 Zone as applying to lands within the Natural Heritage Network which is typically defined as natural features and their associated buffers. A new “Transportation and Utilities” Zone has also been proposed which will be applied to lands used for infrastructure.

Stormwater management facility outfalls and approved collector road crossings are examples of infrastructure that are required to cross through the Greenway lands and are currently permitted in By-law 177-96. The Greenbelt Plan itself also permits this infrastructure subject to specific policies. The new CZBL should continue to permit this type of infrastructure recognizing that such proposals undergo careful review and scrutiny by the City and agencies prior to any approvals.

Stormwater Management Facilities Prohibited in the GWY2 Zone

The CZBL describes the GWY2 Zone as applying to certain lands within the Greenway System that are identified in the Official Plan as “Other Greenway System Lands”. An example of this would be lands within the Greenbelt Plan that do not contain any natural features or their associated buffers. Stormwater management facilities are permitted outside natural features and their associated buffer, in accordance with the Greenbelt Plan subject to specific policies. The GWY2 Zone however prohibits stormwater management facilities which we object to.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

“Stormwater Management Facility Pond means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 23-3240

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

RE: Comments on the Draft Comprehensive Zoning By-law Project
McCowan Elgin Developments Inc.
10690 McCowan Road, City of Markham
PART LOTS 25, CONCESSION 6

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for McCowan Elgin Developments Inc. (“MEDI”), the owner of lands municipally known as 10690 McCowan Road in the City of Markham (the “Subject Lands”). The Subject Lands are located in the northeast quadrant of the Robinson Glen Block, north of Major Mackenzie Drive, east of Kennedy Road, south of Elgin Mills Road and west of McCowan Road (see figure on the following page). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Exclude the Subject Lands from the Comprehensive Zoning By-law

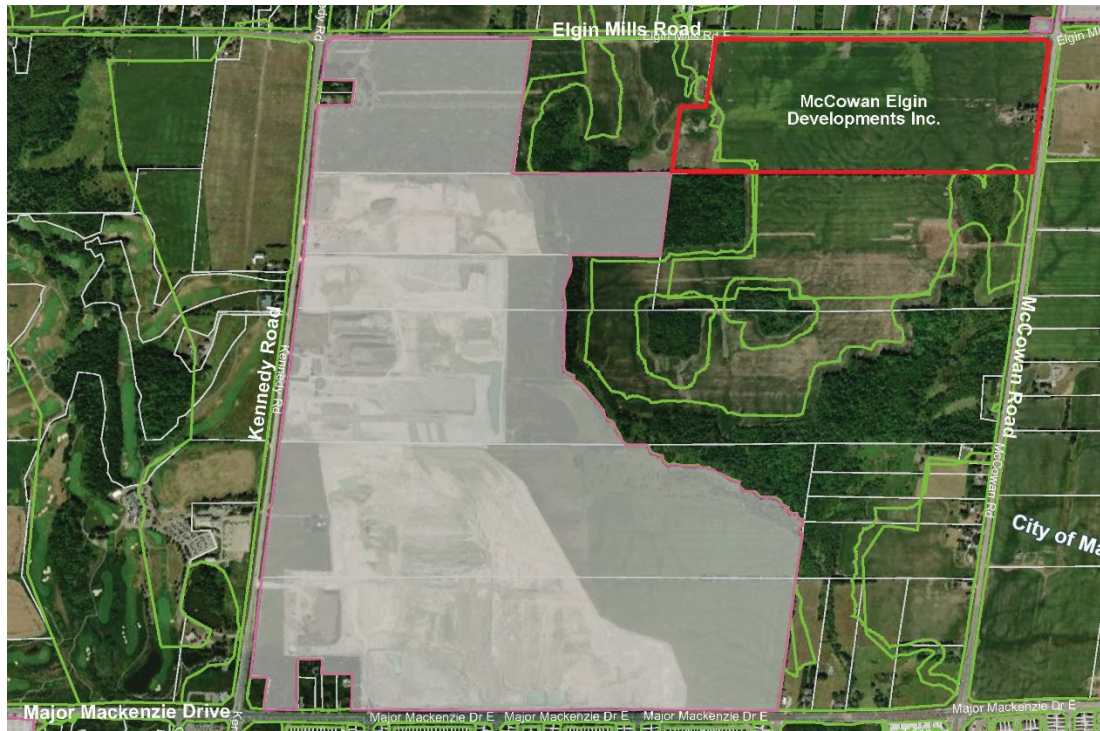
The recently approved 2022 York Region Official Plan identifies the Subject Lands as Urban Area and designated Community Area. As per the draft CZBL Zoning Map F3, the Subject Lands are proposed to be zoned as follows:

- CTS (Countryside);
- CTS (H1) – as per Section 16.1, (H1) applies to lands within 30m of the boundary of the GWY1 Zone, a Holding Zone that can be lifted in accordance with Section 10.2.3 of the Official Plan;
- GWY1 (Greenway One); and
- GWY2 (Greenway Two).

We are requesting the Subject Lands be excluded from the CZBL, just as the lands in western portion of the Robinson Glen Block and other Future Urban Area lands which have been either excluded from the CZBL or zoned “Future Development (FD)”. The Subject Lands are contained within a Secondary Plan that is currently underway which will designate

the lands for urban residential development. Draft plan of subdivision and zoning approvals to follow shortly thereafter.

Figure 1: Location of the Subject Lands



Proposed GWY1 Zone Boundaries

We are not aware of any detailed environmental or natural heritage study which was used as the basis for the “CTS (H1)”, “GWY1” and “GWY2” Zones limits as shown on the draft CZBL Maps E2. We object to the delineation of environmental features and associated Zoning Designations without study or consultation. We further request that language be added to “Section 2.4 Determining Zone Boundaries” stating that the boundaries of “CTS (H1)”, “GWY1”, “GWY2” and “GWY3” Zones reflect the most accurate information available and are to be confirmed, refined or modified in accordance with Official Plan Policy 3.1.1.3.

Public Infrastructure Not Permitted in the GWY1 Zone

The draft CZBL does not permit infrastructure in the GWY1 Zone. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The CZBL describes the GWY1 Zone as applying to lands within the Natural Heritage Network which is typically defined as natural features and their associated buffers. A new “Transportation and Utilities” Zone has also been proposed which will be applied to lands used for infrastructure.

Stormwater management facility outfalls and approved collector road crossings are examples of infrastructure that are required to cross through the Greenway lands and are currently permitted in By-law 177-96. The Greenbelt Plan itself also permits this infrastructure subject to specific policies. The new CZBL should continue to permit this type

of infrastructure recognizing that such proposals undergo careful review and scrutiny by the City and agencies prior to any approvals.

Stormwater Management Facilities Prohibited in the GWY2 Zone

The CZBL describes the GWY2 Zone as applying to certain lands within the Greenway System that are identified in the Official Plan as “Other Greenway System Lands”. An example of this would be lands within the Greenbelt Plan that do not contain any natural features or their associated buffers. Stormwater management facilities are permitted outside natural features and their associated buffer, in accordance with the Greenbelt Plan subject to specific policies. The GWY2 Zone however prohibits stormwater management facilities which we object to.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

*“**Stormwater Management Facility Pond** means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”*

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

Conclusion

In summary, we are requesting the Subject Lands be excluded from the new CZBL.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 13-2175

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

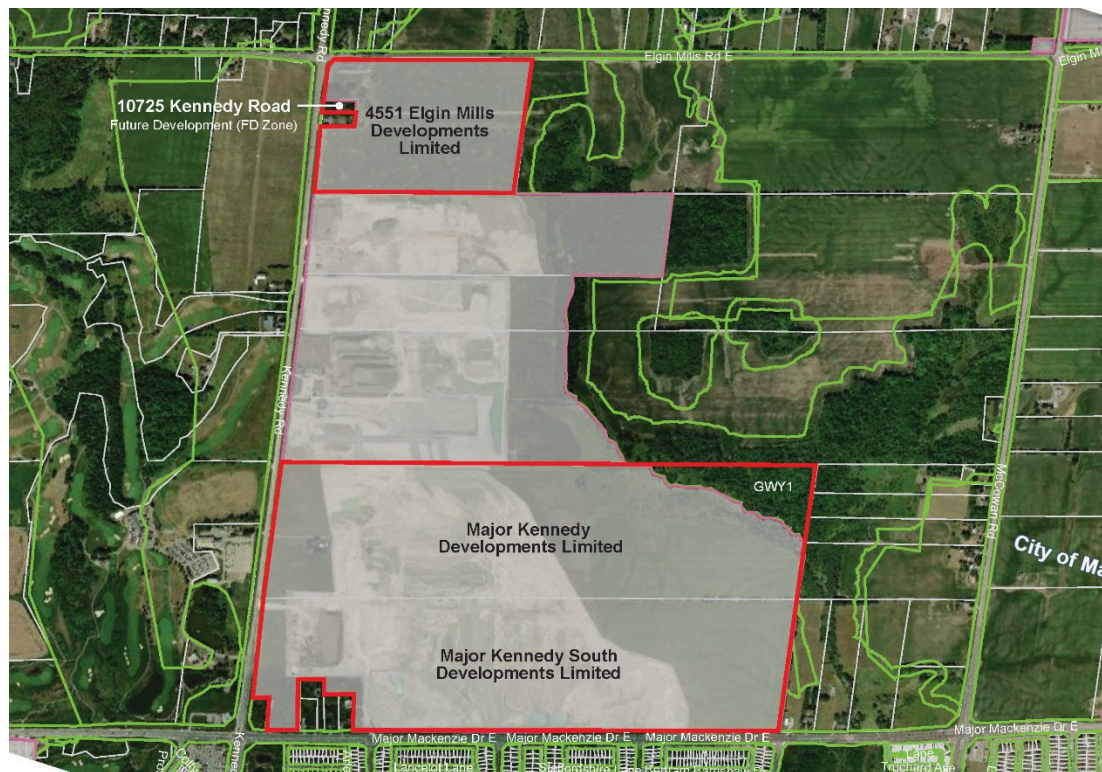
**RE: Comments on the Draft Comprehensive Zoning By-law Project
Major Kennedy South Developments Limited, Major Kennedy Developments
Limited, and 4551 Elgin Mills Developments Limited (19TM-20002), and 10725
Kennedy Developments Limited
4638 Major Mackenzie Drive, 10225 Kennedy Road, 4551 Elgin Mills Road East and
10725 Kennedy Road, City of Markham
PART LOTS 21, 22 & 25, CONCESSION 6**

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for Major Kennedy South Developments Limited (“MKSDL”), Major Kennedy Developments Limited (“MKDL”), 4551 Elgin Mills Developments Limited (“EMDL”) and 10725 Kennedy Developments Limited (“10725 KDL”), the owner of lands municipally known as 4638 Major Mackenzie Drive, 10225 Kennedy Road, 4551 Elgin Mills Road East and 10725 Kennedy Road in the City of Markham (collectively referred to as the “Subject Lands”). The Subject Lands are located in the western half of the Robinson Glen Block, north of Major Mackenzie Drive, east of Kennedy Road, south of Elgin Mills Road and west of McCowan Road (see figure on the following page). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Subject Lands as “Area Excluded from the Zoning By-law”

MKSDL, MKDL and EMDL received Draft Plan of Subdivision approval (19TM-20002) in March 2022 and are zoned in Zoning By-law 177-96, as amended. The draft CZBL Zoning Map F3 identifies these lands as an “area excluded from the Zoning By-law”. The City’s online CZBL mapping tool also shows a gray “exclusion” tone on these lands. It is our understanding that the new CZBL will not be applicable, and the existing zoning by-law provisions will continue to apply. On this basis, MKSDL, MKDL and EMDL support this “exclusion” from the new CZBL.

Figure 1: Location of the Subject Lands



Respecting 10725 KDL property which is contained within the Robinson Glen Secondary Plan, Official Plan Amendment No. 26 and not yet zoned in Zoning By-law 177-96, the City is proposing to include these lands in the CZBL with a “Future Development (FD)” zone. Having some lands zoned in By-law 177-96 and other lands immediately adjacent contained in the new CZBL will create confusion and implementation difficulties. An example of this is where there are part lots or blocks on the EMDL property in By-law 177-96 but the adjoining part lots or blocks on the 10725 KDL property are in the new CZBL. We request that the City exclude all the Subject Lands from the new CZBL.

Online Comprehensive Zoning By-law Mapping Tool Comments

Within the online CZBL mapping tool, the “Property Details Search” identifies Zoning Designations for the Subject Lands. The Zoning Designations for the MKDL property appears to have inadvertently included “RR4” in the list. We are requesting the “Property Details Search” be revised to accurately reflect the approved zoning for the Subject Lands.

Secondly, the “Property Details Search” identifies Official Plan Designations “Greenway” and “Future Neighbourhood Area”. The Robinson Glen Secondary Plan Official Plan Amendment No. 26 was approved in July 2019. The Subject Lands are designated “Residential Low Rise”, “Residential Mid Rise”, “Residential High Rise”, “Mixed Use Mid Rise”, “Mixed Use High Rise” and “Greenway” and although the City’s Official Plan *Map 3 – Land Use* has not been updated to reflect this approval, these are the land use designations that apply to the Subject Lands. We are requesting that where Secondary Plans have been

approved and are in full force and effect, the land use designations be identified as such in the “Property Search Details”.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 21-3070

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

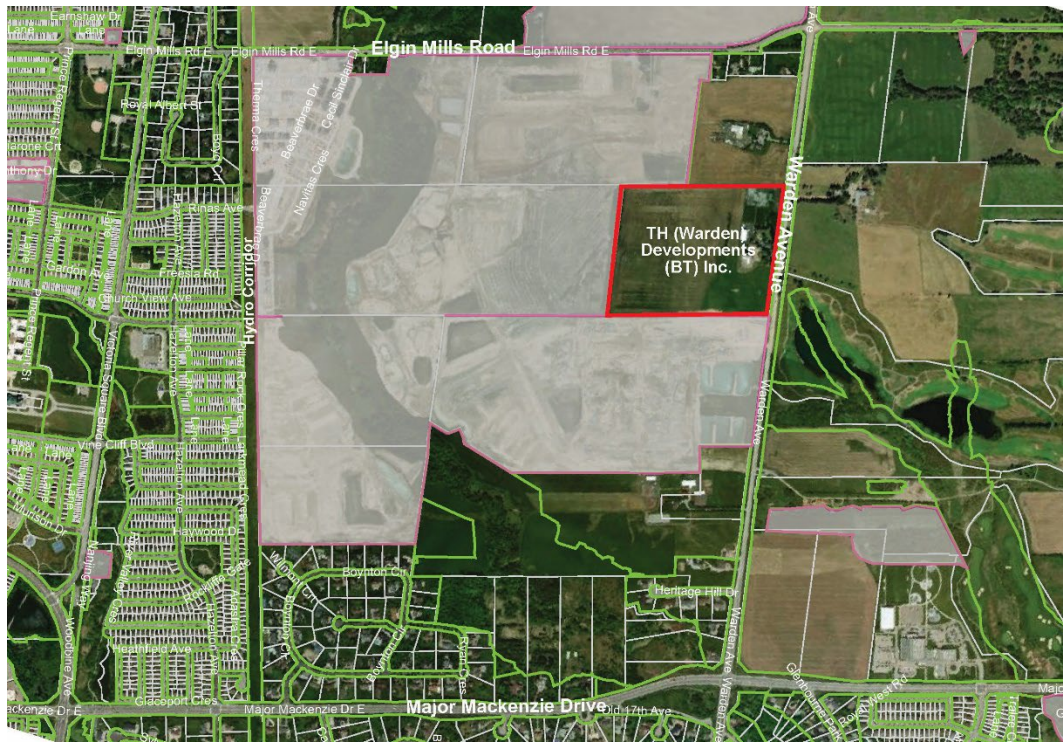
via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

**RE: Comments on the Draft Comprehensive Zoning By-law Project
TH (Warden) Developments (BT) Inc.
10506 and 10508 Warden Avenue, City of Markham
PART LOT 24, CONCESSION 4**

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for TH (Warden) Developments (BT) Inc., the owner of the lands municipally known as 10506 and 10508 Warden Avenue in Markham (the “Subject Lands”). The Subject Lands are located in the Berczy Glen Block, north of Major Mackenzie Drive, west of Warden Avenue, east of the Hydro Corridor, and south of Elgin Mills Road (see figure below).



We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Exclude the Subject Lands from the Comprehensive Zoning By-law

The Subject Lands are contained within the Berczy Glen Secondary Plan, Official Plan Amendment No. 24 and applications for a Draft Plan of Subdivision and Zoning By-law Amendment have been submitted to the City. The application was deemed complete on January 27, 2023 and a Statutory Public Meeting was held on May 9, 2023. The application proposes to zone the Subject Lands in Zoning By-law 177-96.

The City is proposing to include the Subject Lands in the CZBL with a “Future Development (FD)” Zone as per the draft CZBL Zoning Map D3. The abutting lands to the north and south are zoned for urban development in Zoning By-law 177-96, as amended. Having some lands zoned in By-law 177-96 and other lands immediately adjacent contained within the new CZBL will create confusion and implementation difficulties. An example of this is where there are part lots or blocks on the abutting lands in By-law 177-96 but the adjoining part lots or blocks on the Subject Lands are in the new CZBL. Given that an application has been submitted to the City and is currently being process, we are requesting that the Subject Lands be excluded from the new CZBL.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

June 2, 2023

MGP File: 16-2511

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

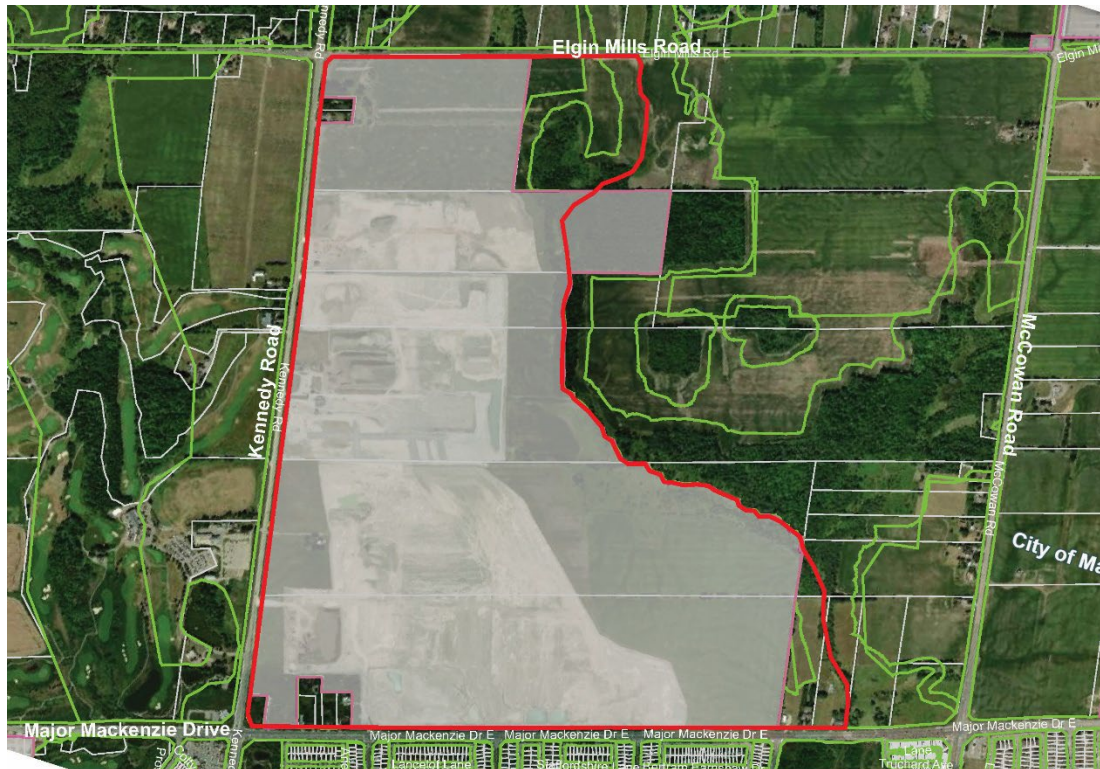
RE: Comments on the Draft Comprehensive Zoning By-law Project
ROBINSON GLEN LANDOWNERS:
Major Kennedy South Developments Limited (19T-20002),
Major Kennedy Developments Limited (19T-20002),
4551 Elgin Mills Developments Limited (19T-20002),
10725 Kennedy Developments Limited
Minotar Holdings Inc. (19TM-20010),
Halvan 5.5 Investments Limited (19TM-20010), and
Kennedy MM Markham Ltd. (19TM-20007).
ROBINSON GLEN SECONDARY PLAN AREA, OPA No. 26
NORTH MARKHAM FUTURE URBAN AREA, CITY OF MARKHAM

Malone Given Parsons Ltd. (“MGP”) is writing on behalf of the Robinson Glen Landowners (“RG Landowners”) respecting the lands contained within the Robinson Glen Secondary Plan, Official Plan Amendment No. 26 (“RG Secondary Plan”) approved in July 2019. The lands are generally located north of Major Mackenzie Drive, east of Kennedy Road, west of the McCowan Road and south of Elgin Mills Road (“RGSP Lands”) and shown as a red line on Figure 1 (see the following page). In addition to comments that have been submitted for each of the above-noted properties, we wish to provide the following summary of those comments made on the draft Comprehensive Zoning By-law (“CZBL”) applicable to the entirety of the RGSP Lands.

RGSP Lands as “Area Excluded from the Zoning By-law”

The above-noted properties have received Draft Plan of Subdivision approvals and have been zoned for urban development in Zoning By-law 177-96, as amended. The draft CZBL Zoning Map F3 identifies these lands as an “area excluded from the Zoning By-law”. The City’s online CZBL mapping tool also shows a gray “exclusion” tone on these lands. It is our understanding that the new CZBL will not be applicable to these lands, and the existing zoning by-law provisions will continue to apply. In this regard, the RG Landowners support this “exclusion” from the new CZBL.

Figure 1: Location of the Robinson Glen Secondary Plan (Official Plan Amendment No. 26) Lands



With respect to lands that are contained within the RG Secondary Plan and not yet zoned in Zoning By-law 177-96, the City is proposing to include these lands in the CZBL with a “Future Development (FD)” zone. Having some lands zoned in By-law 177-96 and other lands immediately adjacent contained in the new CZBL will create confusion and implementation difficulties. An example of this is where there are part lots or blocks on lands zoned in Zoning By-law 177-96, but the adjoining part lots or blocks are zoned in the new CZBL. For that reason, we request that the City also exclude these RGSP Lands from the new CZBL and be left with their current zoning until such time as the future development applications are processed by the City to apply the appropriate urban residential zones on the Subject Lands.

Online Comprehensive Zoning By-law Mapping Tool Comments

Within the online CZBL mapping tool, the “Property Details Search” identifies Official Plan Designations “Greenway” and “Future Neighbourhood Area”. The RGSP Lands are designated “Residential Low Rise”, “Residential Mid Rise”, “Residential High Rise”, “Mixed Use Mid Rise”, “Mixed Use High Rise” and “Greenway” and although the City’s Official Plan *Map 3 – Land Use* has not been updated to reflect the RG Secondary Plan approval, these are the land use designations that apply to the RGSP Lands. We are requesting that where Secondary Plans have been approved and are in full force and effect, the land use designations be identified as such in the “Property Search Details”.

Proposed GWY1 and GWY2 Zone Boundaries

We note the RGSP Lands have undergone extensive and detailed environmental studies to delineate the limits of natural features and their associated buffers. These are shown in the approved RG Secondary Plan Maps and Schedules. We are not aware of any other detailed environmental or natural heritage studies used to form the basis for the “GWY1” and “GWY2” Zones limits as shown on the draft CZBL Map F3, and object to the delineation of a Natural Heritage Network, environmental features and associated Zoning Designations that differ from the approved RG Secondary Plan mapping.

Permit Public Infrastructure in the GWY1 Zone

The draft CZBL does not permit infrastructure in the “GWY1” Zone. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The draft CZBL describes the “GWY1” Zone as applying to lands within the Natural Heritage Network which is typically defined as natural features and their associated buffers.

Stormwater management facility outfalls and approved collector roads and crossings are examples of infrastructure that are required to cross through the Greenway lands and are currently permitted. The Greenbelt Plan itself also permits this infrastructure subject to specific policies. Planning for urban residential development in the Robinson Glen Block requires a network of collector roads that will cross the proposed “GWY1” zone. These collector road alignments are subject to a lengthy Municipal Class Environmental Assessment process and such proposals undergo careful review by the City and agencies prior to any approvals. In addition, stormwater management facilities are permitted outside natural features and their associated buffers, in accordance with the Greenbelt Plan subject to specific policies. For these reasons, we object to a Zoning Designation that now prohibits this infrastructure.

Permit Stormwater Management Facilities in the GWY2 Zone

The draft CZBL describes the “GWY2” Zone as applying to certain lands within the Greenway System that are identified in the Official Plan as “Other Greenway System Lands”. An example of this would be lands within the Greenbelt Plan that do not contain any natural features or their associated buffers. Stormwater management facilities are permitted outside natural features and their associated buffer, in accordance with the Greenbelt Plan subject to specific policies. The “GWY2” Zone however prohibits stormwater management facilities which we object to.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

“Stormwater Management Facility Pond means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

Conclusion

In summary, we are requesting the entirety of the RGSP Lands be excluded from the new CZBL, that certain types of infrastructure be permitted in the “GWY1” Zone, that stormwater management facilities be permitted in the “GWY2” Zone, and that the term “stormwater management facilities” be defined and used throughout the new CZBL.

We would like to thank staff for their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal
647-929-4028

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 22-3147

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

**RE: Comments on the Draft Comprehensive Zoning By-law Project
Various Properties in the North Robinson Glen Block:
Nine Iron Developments Limited
WFS Developments Limited
Nine Iron East Developments Limited
Four Putt Developments Limited
5079 19th Developments Limited
5101 19th Developments Limited
5057 19th Developments Limited
Nine Iron South East Developments Limited
PART LOTS 27, 28, 29, 30, CONCESSION 6**

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for above-noted owners with land holdings in the North Robinson Glen Block (the “Subject Lands”). The Subject Lands are located north of Elgin Mills Road, east of Kennedy Road Avenue, west of McCowan Road and south of 19th Avenue (see figure on the following page). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Exclude the Subject Lands from the Comprehensive Zoning By-law

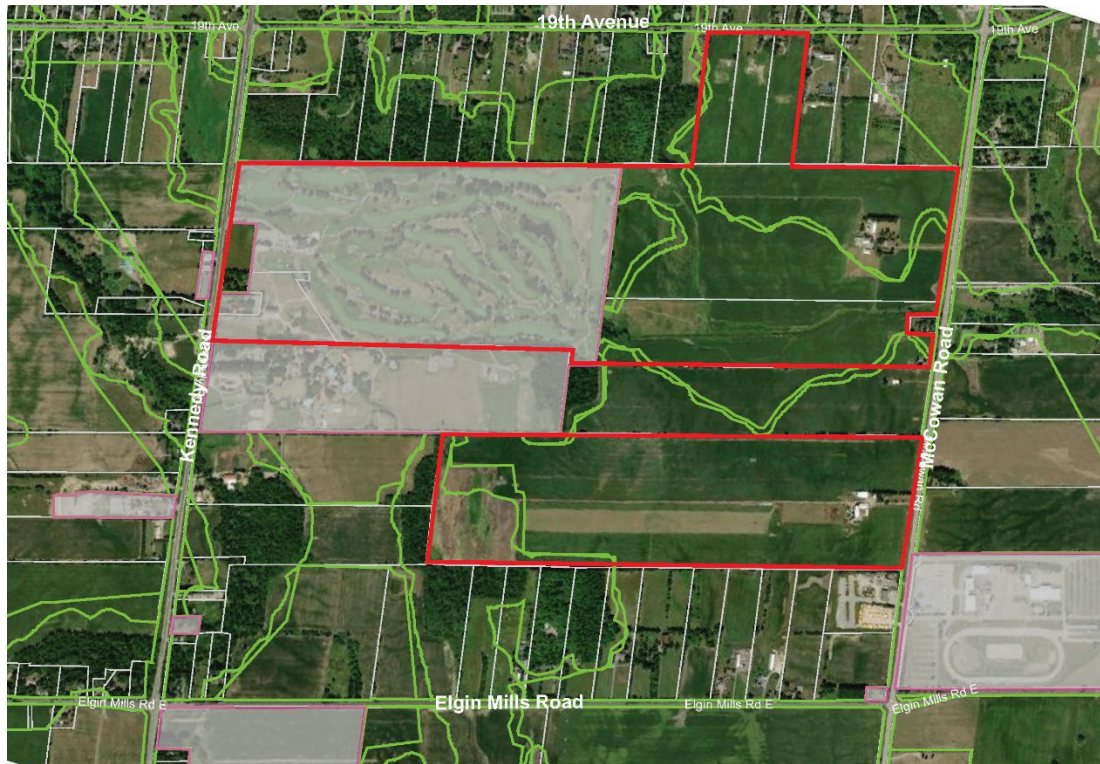
The recently approved 2022 York Region Official Plan identifies the Subject Lands as Urban Area and designated Community Area. As per the draft CZBL Zoning Map F2_1, the Subject Lands are proposed to be zoned as follows:

- CTS (Countryside);
- CTS (H1) – as per Section 16.1, (H1) applies to lands within 30m of the boundary of the GWY1 Zone, a Holding Zone that can be lifted in accordance with Section 10.2.3 of the Official Plan;
- GWY1 (Greenway One); and
- GWY2 (Greenway Two).

A portion of the Subject Lands are excluded from the CZBL while the balance of land are proposed to remain in the CBZL. We are therefore requesting that the Subject Lands in its

entirety be excluded from the CZBL, just as the lands in Robinson Glen Block, Berczy Glen Block, and other Secondary Plan Areas and surrounding Future Urban Area lands which have been either excluded from the CZBL or zoned “Future Development (FD)”. The Subject Lands are contained within a Secondary Plan area that will designate the lands for urban residential development. Draft Plan of Subdivision and Zoning By-law Amendment approvals to follow shortly thereafter.

Figure 1: Location of the Subject Lands



Proposed GWY1 Zone Boundaries

We are not aware of any detailed environmental or natural heritage study which was used as the basis for the “CTS (H1)”, “GWY1” and “GWY2” Zones limits as shown on the draft CZBL Maps F2_1. We object to the delineation of environmental features and associated Zoning Designations without study or consultation. We further request that language be added to “Section 2.4 Determining Zone Boundaries” stating that the boundaries of “CTS (H1)”, “GWY1”, “GWY2” and “GWY3” Zones reflect the most accurate information available and are to be confirmed, refined or modified in accordance with Official Plan Policy 3.1.1.3.

Public Infrastructure Not Permitted in the GWY1 Zone

The draft CZBL does not permit infrastructure in the “GWY1 Zone”. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The CZBL describes the GWY1 Zone as applying to lands within the Natural Heritage Network which is typically defined as natural features and their associated buffers. A new “Transportation and Utilities” Zone has also been proposed which will be applied to lands used for infrastructure.

Stormwater management facility outfalls and approved collector road crossings are examples of infrastructure that are required to cross through the Greenway lands and are currently permitted in By-law 177-96. The Greenbelt Plan itself also permits this infrastructure subject to specific policies. The new CZBL should continue to permit this type of infrastructure recognizing that such proposals undergo careful review and scrutiny by the City and agencies prior to any approvals.

Stormwater Management Facilities Prohibited in the GWY2 Zone

The CZBL describes the “GWY2” Zone as applying to certain lands within the Greenway System that are identified in the Official Plan as “Other Greenway System Lands”. An example of this would be lands within the Greenbelt Plan that do not contain any natural features or their associated buffers. Stormwater management facilities are permitted outside natural features and their associated buffer, in accordance with the Greenbelt Plan subject to specific policies. The “GWY2” Zone however prohibits stormwater management facilities which we object to.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

“Stormwater Management ~~Facility Pond~~ means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

Conclusion

In summary, we are requesting the Subject Lands be excluded from the new CZBL.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

June 2, 2023

MGP File: 13-2174

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

RE: Comments on the Draft Comprehensive Zoning By-law Project
VICTORIA GLEN LANDOWNERS' GROUP:
First Elgin Mills Developments Inc.,
First Elgin North Ltd., and
Glendower Properties Inc.
VICTORIA GLEN SECONDARY PLAN AREA, OPA No. 37
NORTH MARKHAM FUTURE URBAN AREA, CITY OF MARKHAM

Malone Given Parsons Ltd. (“MGP”) is writing on behalf of the Victoria Glen Landowners Group (“VGLG”) respecting the lands contained within the Victoria Glen Secondary Plan Official Plan Amendment No. 37 (“VG Secondary Plan”) approved in March 2022. The lands are generally located north of Elgin Mills Road, east of Warden Avenue, west of the Hydro Corridor and south of 19th Avenue (“VGSP Lands”), shown on Figure 1 (see below). In addition to comments that have been submitted on behalf of each of the above-noted properties, we wish to provide the following summary of those comments made on the draft Comprehensive Zoning By-law (“CZBL”) applicable to the entirety of the VGSP Lands.

Figure 1: Location of the Victoria Glen Secondary Plan (Official Plan Amendment No. 37) Lands



Exclude the VGSP Lands from the Comprehensive Zoning By-law

The City is proposing to include the VGSP Lands in the new CZBL with “Future Development (FD)” and “GWY1” Zones as per the draft CZBL Zoning Map D2_1.

The above-noted properties are contained within the VG Secondary Plan and are not yet zoned in Zoning By-law 177-96. The owners have made or will soon be making submissions for Draft Plan of Subdivision and Zoning By-law Amendment applications. We also note the lands in the adjacent Berczy Glen Secondary Plan and Robinson Glen Secondary Plan areas, as well as other Secondary Plan Areas and Future Urban Area lands have also been excluded from the new CZBL. On this basis, we are requesting the VGSP Lands be excluded from the new CZBL and left with their current zoning until such time as the future development applications are processed by the City to apply the appropriate urban residential zones on the Subject Lands.

Online Comprehensive Zoning By-law Mapping Tool Comments

Within the online CZBL mapping tool, the “Property Details Search” identifies Official Plan Designations “Greenway” and “Future Neighbourhood Area”. These lands are designated “Residential Low Rise”, “Residential Mid Rise”, “Mixed Use Low Rise” and “Greenway” as per the approved VG Secondary Plan and although the City’s Official Plan *Map 3 – Land Use* has not been updated to reflect this approval, these are the land use designations that apply to the VGSP Lands. We are therefore requesting that where Secondary Plans have been approved and are in full force and effect, the designations be identified as such in the “Property Search Details”.

Proposed GWY1 Zone Boundaries

We note the VGSP Lands have undergone extensive and detailed environmental studies to delineate the limits of natural features and their associated buffers. These are shown in the approved VG Secondary Plan Maps and Schedules. We are not aware of any other detailed environmental or natural heritage studies used to form the basis for the “GWY1” Zone limits as shown on the draft CZBL Map D2_1, and object to the delineation of a Natural Heritage Network, environmental features and associated Zoning Designations that differ from the approved VG Secondary Plan mapping, as well as to lands that have been approved and designated for urban development being zoned GWY1.

Permit Public Infrastructure in the GWY1 Zone

The draft CZBL does not permit infrastructure in the “GWY1” Zone. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The draft CZBL describes the “GWY1” Zone as applying to lands within the Natural Heritage Network which is typically defined as natural features and their associated buffers.

Stormwater management facility outfalls is an example of infrastructure that are required to cross through the Greenway lands and are currently permitted. The Greenbelt Plan itself also permits this infrastructure subject to specific policies. For these reasons, we object to a Zoning Designation that now prohibits this infrastructure.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

“Stormwater Management Facility Pond” means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

Conclusion

In summary, we are requesting the entirety of the VGSP Lands be excluded from the new CZBL, that certain types of infrastructure be permitted in the “GWY1” Zone including stormwater management facilities and components, and that the term “stormwater management facilities” be defined and used throughout the new CZBL.

We would like to thank staff for their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 21-3043

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

RE: Comments on the Draft Comprehensive Zoning By-law Project
Warden Angus Developments Inc. and Angus Glen North West Inc.
10565 Warden Avenue, City of Markham
PART LOTS 23 & 24, CONCESSION 5

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for Warden Angus Developments Inc. and Angus Glen North West Inc. (“WADL/AGNW”), the owners of lands municipally known as 10565 Warden Avenue in the City of Markham (the “Subject Lands”). The Subject Lands are located in the northwest-mid quadrant of the Angus Glen Block, north of Major Mackenzie Drive, east of Warden Avenue, south of Elgin Mills Road and west of Kennedy Road (see figure on the following page). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Exclude the Subject Lands from the Comprehensive Zoning By-law

As per the draft CZBL Zoning Map E3, the Subject Lands are proposed to be zoned “Future Development (FD)” and “GWY1”. We are requesting the Subject Lands in its entirety be excluded from the CZBL as these lands have a Secondary Plan approval pending in the very near future which will designate the lands for urban residential development. Draft Plan of Subdivision and Zoning By-law Amendment approvals will follow shortly thereafter. We also note the lands in the adjacent Berczy Glen Secondary Plan and Robinson Glen Secondary Plan areas, as well as other Secondary Plan Areas and Future Urban Area lands have also been excluded from the new CZBL.

Figure 1: Location of the Subject Lands



Proposed GWY1 Zone Boundaries

We are not aware of any detailed environmental or natural heritage study which was used as the basis for the “GWY1” Zone limits as shown on the draft CZBL Map E3. We object to the delineation of environmental features and associated Zoning Designations without study or consultation. We object to the delineation of a Natural Heritage Network, environmental features and associated Zoning Designations that differ from the pending Angus Glen Secondary Plan mapping, as well as to lands that are pending approval and designated for urban development being zoned “GWY1”. We further request that language be added to “Section 2.4 Determining Zone Boundaries” stating that the boundaries of “CTS (H1)”, “GWY1”, “GWY2” and “GWY3” Zones reflect the most accurate information available and are to be confirmed, refined or modified in accordance with Official Plan Policy 3.1.1.3.

Public Infrastructure Not Permitted in the GWY1 Zone

The draft CZBL does not permit infrastructure in the “GWY1” Zone. “Infrastructure” is a defined term and includes physical structures (facilities and corridors) that form the foundation for development including but not limited to stormwater management systems, transit and transportation corridors and facilities. The draft CZBL describes the “GWY1” Zone as applying to lands within the Natural Heritage Network which is typically defined as natural features and their associated buffers.

Stormwater management facility outfalls and approved collector roads and crossings are examples of infrastructure that are required to cross through the Greenway lands and are currently permitted. The Greenbelt Plan itself also permits this infrastructure subject to

specific policies. Planning for urban residential development in the Angus Glen Block includes a network of collector roads that will cross the proposed “GWY1” zone. These collector road alignments were subject to a lengthy Municipal Class Environmental Assessment process and approved in September 2022. Stormwater management facilities are also permitted outside natural features and their associated buffers, in accordance with the Greenbelt Plan subject to specific policies. We object to a Zoning Designation that now prohibits this infrastructure. On this basis, the new CZBL should continue to permit this type of infrastructure recognizing that such proposals undergo careful review and scrutiny by the City and agencies prior to any approvals.

Stormwater Management Facilities Prohibited in the GWY2 Zone

The draft CZBL describes the “GWY2” Zone as applying to certain lands within the Greenway System that are identified in the Official Plan as “Other Greenway System Lands”. An example of this would be lands within the Greenbelt Plan that do not contain any natural features or their associated buffers. Stormwater management facilities are permitted outside natural features and their associated buffer, in accordance with the Greenbelt Plan subject to specific policies. The “GWY2” Zone however prohibits stormwater management facilities which we object to.

Stormwater Management Facilities not Ponds

Stormwater management facilities can take a variety of forms including open wet ponds and underground tanks. The draft CZBL specifically includes the use of and defines the term “stormwater management ponds”. The CZBL should be revised to use the term “stormwater management facilities” to recognize that these features may be underground facilities. The definition (electronic Page 51) should be revised to read as follows:

“Stormwater Management Facility Pond means a detention basin, underground tank or other similar facility designed to temporarily store collected stormwater runoff and release it at a controlled rate.”

The term should also be revised to “stormwater management facilities” in the following sections:

- Part 3.0 Definitions in the definition of “Public Facility” (sub g) (electronic Page 48);
- Section 4.6 a) Public Uses, Activities or Infrastructure Permitted in all Zones (sub ix) (electronic Page 57);
- Greenway Two (GWY2) Zone (electronic Page 190); and
- Part 14.0 Exceptions tables (electronic Pages 214 & 215).

Conclusion

In summary, we are requesting the Subject Lands be excluded from the new CZBL.

We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner

May 31, 2023

MGP File: 21-3088

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

via email: broberts@markham.ca

Attention: Mr. Brad Roberts
Manager – Zoning & Special Projects

Dear Mr. Roberts:

RE: Comments on the Draft Comprehensive Zoning By-law Project
Warden Elgin Developments Limited
3975 Elgin Mills Road, City of Markham
PART LOTS 24 & 25, CONCESSION 5

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for Warden Elgin Developments Limited. (“WEDL”), the owner of lands municipally known as 3975 Elgin Mills Road in the City of Markham (the “Subject Lands”). The Subject Lands are located in the northwest quadrant of the Angus Glen Block, north of Major Mackenzie Drive, east of Warden Avenue, south of Elgin Mills Road and west of Kennedy Road (see figure on the following page). We thank staff for meeting with us and wish to provide the following comments on the draft Comprehensive Zoning By-law (“CZBL”) on behalf of the Subject Lands.

Exclude the Subject Lands from the Comprehensive Zoning By-law

As per the draft CZBL Zoning Map E3, a small portion of the Subject Lands is proposed to be excluded from the CZBL, with the balance proposed to be zoned “Future Development (FD)”. We are requesting the Subject Lands in its entirety be excluded from the CZBL as these lands have a Secondary Plan approval pending in the very near future. We note the lands in the adjacent Berczy Glen Secondary Plan and Robinson Glen Secondary Plan areas, as well as other Secondary Plan Areas and Future Urban Area lands have also been excluded from the new CZBL.

In addition, WEDL has made a consultation request and will be submitting Draft Plan of Subdivision and Zoning By-law Amendment applications in the very near future. On this basis, we are requesting the Subject Lands be left with their current zoning until such time as the future development applications are processed to apply the appropriate urban residential zones on the Subject Lands.

Figure 1: Location of the Subject Lands



We would like to commend staff on their ongoing efforts throughout the CZBL process. We reserve the right to provide additional information to further support these comments, and request notification of any future public meetings and the adoption of the Comprehensive Zoning By-law. If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.

Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Geoff Day, Senior Planner – Zoning and Special Projects
Owner