

June 27, 2023

MGP File: 21-3070

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

via email: clerkspublic@markham.ca

Attention: Mayor Scarpitti and Members of Council

Dear Mayor Scarpitti and Members of Council

**RE: City of Markham Council Meeting, June 28, 2023
Agenda Item 6.1 and 8.1.2 City of Markham's Response to Bill109 – More Homes
for Everyone Act, 2022 and Bill 23 – More Homes Built Faster Act, 2022
On behalf of 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 as shown on Figure 1 below.

Figure 1: Location of TH (Warden) Developments (BT) Inc. Lands



 Subject Lands

We have reviewed the Draft Official Plan Amendment, Draft Municipal Servicing By-law Amendment, Draft Pre-Application Consultation By-law, Draft Development Fee By-law Amendment and Draft Municipal Fee By-law Amendment (“Proposed Instruments”) presented to Development Services Committee (DSC) on June 13, 2023, which have since been revised (“Revised Instruments”) and are to be considered at the June 28, 2023 Council Meeting, Agenda Items 6.1 and 8.1.2 *City of Markham's Response to Bill 109 – More Homes for Everyone Act, 2022 and Bill 23 – More Homes Built Faster Act, 2022*.

Implementing Bill 23 and Bill 109 to build more homes faster will require a collaborative approach. We recognize the City has been working with stakeholders and the development industry to address concerns raised following the June 13, 2023 DSC Meeting as noted in the Staff Memorandum. We wish to acknowledge many of the positive changes reflected in the Revised Instruments but continue to have concerns that the proposed process will have unintended consequences and not achieve the desired outcomes. The following is a list of our concerns:

- The Draft Official Plan Amendment includes a proposed Complete Application Checklist of requirements by application type complete with ‘checkmarks’. Staff acknowledge that the purpose of the Pre-Application Consultation Meeting to determine the complete application requirements on a site-specific basis however, the ‘checkmarks’ could be interpreted as pre-determining the application requirements. We are requesting the checkmarks be removed from the Draft Official Plan Amendment.
- The proposed Complete Application Checklist now includes requirements that are typically completed as a ‘condition of approval’. This is due to the level of detail that is required and is therefore undertaken as part of the Technical Subdivision Review process. Examples include concept landscape/streetscape plans, demonstration of soil volume for trees, landscape plans and details, stormwater management pond operation and maintenance report. We are requesting consideration be given to adding a note to any deliverable that could be acceptable as part of the Technical Subdivision Review process instead of as a complete application requirement.
- We are seeking clarification on the timing of a Parkland Agreement. The Draft Pre-Consultation By-law identifies the requirement for a Municipal Services Agreement application and is silent on the Parkland Agreement. Further, the Draft Fee By-law list a Parkland Agreement but does not include an associated fee amount. We are concerned that entering into a Parkland Agreement prior to submitting an application or having an approval in place would be premature.

We are requesting the City monitor this process as it is implemented and be amenable to further changes if additional unforeseen issues arise. We would like to commend Staff on the progress made to date and are further requesting to receive any future notifications related to this matter.

If you have any questions, please contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



Emily Grant
Principal, Malone Given Parsons Ltd.

cc. Arvin Prasad, Commissioner of Development Services
Owner