

June 27, 2023

MGP File: 21-2985  
22-3156  
22-3157

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

via email: [clerkspublic@markham.ca](mailto:clerkspublic@markham.ca)

**Attention: Mayor Scarpitti and Members of Council**

Dear Mayor Scarpitti and Members of Council

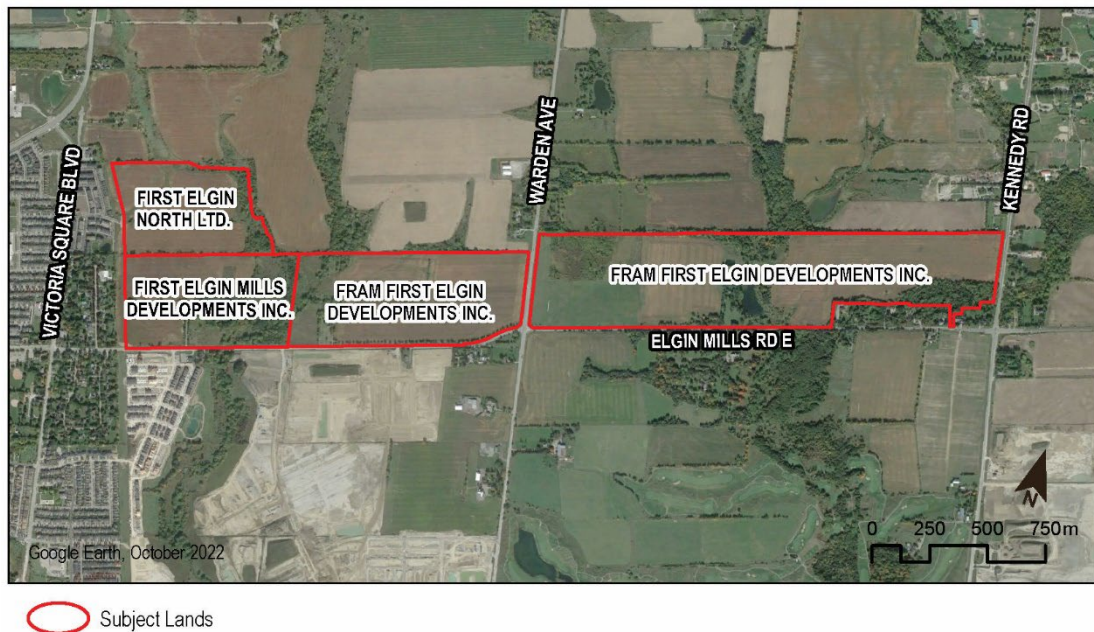
**RE: City of Markham Council Meeting, June 28, 2023  
Agenda Item 6.1 and 8.1.2 City of Markham's Response to Bill109 – More Homes  
for Everyone Act, 2022 and Bill 23 – More Homes Built Faster Act, 2022  
On behalf of Various Properties in North Markham:**

**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  
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 FRAM First Elgin Developments Inc., the owner of lands municipally known as 3450 and 4044 Elgin Mills Road East; and 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 (collectively referred to as 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 19<sup>th</sup> Avenue; and between Berczy Creek and Kennedy Road along the entire north frontage of Elgin Mills Road, as identified on Figure 1 on the following page.

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 Bill109 – More Homes for Everyone Act, 2022 and Bill 23 – More Homes Built Faster Act, 2022*.

Figure 1: Location of the Subject Lands



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  
Owners