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Our File No. 110524

BY EMAIL: kkitteringham@markham.ca

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

Attention: Kimberley Kitteringham, City Clerk

Dear Sirs and Mesdames:

**Re: Neamsby Investments Inc., Rosina Mauro and Fulton Homes Limited
Official Plan Amendment Application - Markham File No. OP 13 108448**

**Box Grove Hill Developments Inc.
Official Plan Amendment Application - Markham File No. OP 13 108173**

We represent Lindvest Properties (Cornell) Limited ("**Lindvest**"). As Council is aware, our client's application for Official Plan Amendment (December 2012) (Markham File No. OP 12 132870) was considered last summer along with the above-captioned applications and others, through a special Sub-Committee process. At that time, Sub-Committee and subsequently, Council, recognized the merits of our client's application and recommended that the application proceed further through Markham's public process.

Our client welcomed that decision and, as you know, is anxious to continue moving forward. To that end, we are very pleased that the City has scheduled a Public Meeting for September 9, 2014 respecting our client's application. The application is a broader update of the Cornell Centre development concept and applies to more than simply lands currently designated for employment purposes.

Council's Sub-Committee process considered all applications for conversion together, including our client's application. A similar approach was taken by Markham Council in adopting policies within its new Official Plan last December. Regional Council's recent decision process involving the Markham Official Plan also dealt with all applications together.

As recognized by Committee last year, our client's application represents a net increase in jobs associated with the conversion of employment lands. Our client's application does not rely upon the retention of other lands for which applications have been filed in order to proceed on its merits. However, we are concerned that Regional Council, in considering the most recent Regional staff report regarding the Markham Official Plan, did not review

our client's application on its merits but instead assessed only the cumulative amount of land proposed to be redesignated. Our client is concerned that if Regional Council assesses all of the conversion applications in this manner without considering the individual merits of the Lindvest application, this may mean that each applicant would have to assess its application against all other applications, including the two above-captioned applications. Lindvest is hopeful that this is not the outcome of the Regional planning process and will continue to monitor the progress of the above-noted applications through that process. Our client is concerned that a fair assessment of the merits of their application not be prejudiced in any way. Our client reserves its right to comment further on the foregoing applications should it be necessary as a result of later planning processes.

Yours truly,

AIRD & BERLIS LLP



Patricia A. Foran

PAF/jad

c. Lindvest Properties (Cornell) Limited

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