

## **Gatzios Planning + Development Consultants Inc.**

File No: 65MA-1110

December 8, 2013

**City of Markham**

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

**Attention:** Mayor and Members of Council

**Regarding: ADOPTION OF REVISED DRAFT OFFICIAL PLAN  
COUNCIL MEETING DECEMBER 10, 2013  
AGENDA ITEM 6(B) (6)  
ON BEHALF OF THREE LANDOWNERS IN OPA 149  
PART OF THE 404 NORTH BUSINESS PARK  
CITY OF MARKHAM**

Your Worship and Members of Council:

Further to our letter of April 2, 2013, we write once again as planning consultants on behalf of the following landowners in the 404 North Secondary Plan, whose land holdings are within the 404 North Business Park:

1. North Markham 404 GP Ltd. (parcel A)
2. 11160 Woodbine Avenue Ltd. (parcels B and C)
3. Rice Commercial Group (parcel D)

Further to our April 2013 submission, we wish to thank staff for revising and correcting the land use designations for this area as shown on Map 3 – Land Use in the proposed Official Plan going to Council on December 10, 2013.

We have two outstanding comments to the draft Official Plan at this time, as follows:

- a. Map 10 Road Network continues to show an east-west Major Collector Road through the middle of the existing Honda Canada and Enbridge Gas Distribution Technology and Operations Centre developments. We believe this should be removed.
- b. Appendix D shows a line for 'Proposed Cycling Facilities' through the middle of the existing Honda Canada development. We believe this should be moved or removed.

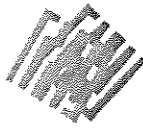
Sincerely,

Gatzios Planning + Development Consultants Inc.

A handwritten signature in black ink, appearing to read 'MGatzios', with a stylized flourish at the end.

Maria Gatzios, MCIP RPP

Copy to:      Ms. Kitty Bavington, City Clerk  
                 Ms. Marg Wouters, Senior Manager, Policy and Research  
                 Mr. John McGovern, Rice Commercial Group



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## Gatzios Planning + Development Consultants Inc.

File No: 65MA-1222

December 8, 2013

### City of Markham

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

**Attention:** Mayor and Members of Council

**Regarding: ADOPTION OF REVISED DRAFT OFFICIAL PLAN  
COUNCIL MEETING DECEMBER 10, 2013  
AGENDA ITEM 6(B) (6)  
ON BEHALF OF 8 STEELCASE HOLDING CORPORATION  
8 STEELCASE ROAD WEST (WEST OF WOODBINE AVENUE)  
CITY OF MARKHAM**

Your Worship and Members of Council:

The subject site is approximately 1 ha (2.5 acres) on the north side of Steelcase Road West, just west of Woodbine Avenue.

The landowner owns and operates the 'Living Group of Companies Inc', including Living Realty, which is the real estate office operation that is in the process of occupying the subject site, which was the subject of recent OPA and ZBLA approvals to permit the office use.

In April 2013 we wrote to the City on behalf of the above-noted owner requesting a change in designation from the proposed '**General Employment**' to '**Service Employment**' or '**Business Park**'.

In our opinion one of these two designations would more appropriately designate this property for a mix of uses that includes office as a stand alone use, as well as other related uses that do not focus on manufacturing and industry as the main purpose and intent of the designation.

We also note that the '**Service Employment**' and the '**Business Park**' designations are not restricted to lands which have direct frontage onto an arterial road such as Woodbine Avenue, but are being proposed for lands adjacent which have characteristics appropriate for the range of uses permitted in these two designations.

City staff responded to our submission in item 83 of Appendix C to their November 19, 2013 staff report, however, they did not specifically reflect nor reply to the purpose of our submission and request – namely a change in designation. We agree that site-specific OPA policy 9.17.7 permitting office uses for the current building carries forward the previous permission, however that was not the request made in our April 2013 submission, and we respectfully continue to request consideration for a change in designation for these lands.

Sincerely,

Gatzios Planning + Development Consultants Inc.

A handwritten signature in black ink, appearing to read 'M. Gatzios', with a stylized flourish at the end.

Maria Gatzios, MCIP RPP

Enclosures.

copy to: Ms. Kitty Bavington, City Clerk  
Ms. Marg Wouters, Senior Manager, Policy & Research  
8 Steelcase Holding Corporation (c/o Living Realty)

**Hau, Lucy**

**Subject:** FW: Submission on behalf of The Norfinch Group Inc re 8051 Yonge Street - - NOTICE - Draft Official Plan

**From:** Jeffrey Streisfield [<mailto:jeffthelawyer@rogers.com>]

**Sent:** December-08-13 4:50 PM

**To:** Bavington, Kitty

**Subject:** Re: Submission on behalf of The Norfinch Group Inc re 8051 Yonge Street - - NOTICE - Draft Official Plan

Dear Mayor and Members of Council,

I represent The Norfinch Group Inc. and am writing further to communications from our client's Architect, Hendrik OP'T Root, dated December 2nd addressed to Mr. Ron Blake, Manager of Development West District. This email is intended to supplement that communication to Staff.

The subject site is located a few metres north of Royal Orchard Blvd, but south of a very large apartment building. The subject site has frontage and access on to Yonge Street, and therefore can be intensified on its own, or independent of any future development scenario on the Royal Orchard Plaza site.

The apartment building to the north and the surrounding built form informs the future development context for the subject site and surrounding lands. It is noted that the subject lands have been identified on Map 3 of the new draft Official Plan as "Mixed Use High Rise". This designation appears appropriate for the subject lands, subject to the following comments related to the draft policies for this designation and other matters in the draft OP:

1. Policy 8.3.1. - refers to the need "to have regard" to urban design and other policies in Chapter 6. Please clarify how such policies will be used to evaluate future development applications, if other than as non statutory guidelines.
2. Policy 8.3.1.4(f) - should not apply to the subject site since the property has its own access.
3. Policy 8.3.1.4(j) - the reference to a "plan" is too general. Please clarify if the intent is anything other than an approved Secondary Plan or other planning act instrument.
4. Policy 8.3.4 - please clarify what the intended building setback is from Yonge Street. Is is zero lot line or not greater than 2 -3 metres from the Yonge Street ROW?
5. Policy 8.3.4.2 - the list of (non residential) uses appears to be narrow. Please clarify what the intent is in regards to the listed uses.
6. Policy 8.3.4.4 - the FSI should be increased to 5.0 in light of the 15 storey height limit.
7. Policy 8.3.4.5 - since the subject site can be intensified on its own we question whether a number of the criteria are appropriate for the future development of the site. Also, provision should be made for reduced parking standards, both in terms of required number of parking spaces and dimensions of parking spaces.

We look forward to discussing these and other matters with Staff prior to adoption of the Plan.

#### **Request for Future Notice**

Would you please provide me with a copy of any decision taken by Council in connection with draft OP and keep me advised of any future meetings regard same. Notice of any decision can be sent to me via email and to the address below, together with a copy to The Norfinch Group at 60 West Beaver Creek Road, Unit B, Richmond Hill, Ontario, L4B 2B4.

Thank you for your consideration of this matter.

**Jeffrey E Streisfield**, BA LLB MES  
Land Lawyer & Land Development Manager  
310 Hillhurst Blvd., Toronto, ON M6B 1N1

**LAND LAW**<sup>TM</sup>  
<http://landplanlaw.com>

tel: 416 460 2518  
skype: Jeffrey\_\_Streisfield

Planning & Development Approvals  
Municipal & Environmental Law  
Boundary & Property Disputes  
Trials, Hearings, OMB and Court Appeals

*Creating and Protecting Land Value in Ontario TM*

This e-mail may be privileged and/or confidential, and the sender does not waive any related rights and obligations.

(L+)

**Hau, Lucy**

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**Subject:** FW: NOTICE - Draft Official Plan (submission on behalf of Scardred 7 re 4038 Hwy 7)

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**From:** Jeffrey Streisfield Land Law [<mailto:jeffrey@landplanlaw.com>]

**Sent:** December-06-13 4:01 PM

**To:** Bavington, Kitty

**Subject:** Re: NOTICE - Draft Official Plan (submission on behalf of Scardred 7 re 4038 Hwy 7)

Dear Members of Council,

I recently received submissions by lawyers for other landowners pertaining to cost sharing.

While our client takes no issue with the principle of cost sharing, its implementation has proved to be challenging especially when certain project costs should be funded from the general tax base.

I also wish to remind Council of the need to ensure that its development standards minimize the cost of new housing.

Please provide me with notice of any decision taken by Council in connection with the above.

Thank you.

**Jeffrey E Streisfield**, BA LLB MES  
Land Lawyer & Land Development Manager

**LAND LAW<sup>TM</sup>**

<http://landplanlaw.com>

tel: 416 460 2518

skype: Jeffrey\_Streisfield

Planning & Development Approvals  
Municipal & Environmental Law  
Boundary & Property Disputes  
Trials, Hearings, OMB and Court Appeals

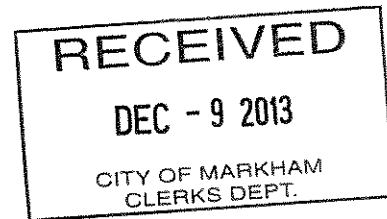
*Creating and Protecting Land Value in Ontario TM*

This e-mail may be privileged and/or confidential, and the sender does not waive any related rights and obligations.

December 6, 2013

**VIA E-MAIL ORIGINAL VIA COURIER**

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



Attention: City Clerk

**Re: Proposed New City of Markham Official Plan (the "New OP")**  
**And Re: 8359 Reesor Road**

Enclosed please find a copy of our letter, previously sent, to the Mayor and Members of Council to the attention of the Development Services Committee. Please ensure that it is included as part of the council agenda at any council meeting where the City's proposed New Official Plan is being considered.

Thank you,



Ainsley Davidson  
Senior Planner, Development Planning  
Infrastructure Ontario

cc: John Dawson  
John Lohmus  
Anil Wijesooriya, Vice President, Development Planning, Infrastructure Ontario  
Jeremy Warson, Senior Project Manager, Development Planning, Infrastructure Ontario

encl.



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December 2, 2013

**VIA E-MAIL ORIGINAL VIA COURIER**

Mayor and Members of Council  
City of Markham  
c/o Development Services Committee  
Anthony Roman Centre  
101 Town Centre Boulevard  
Markham, Ontario  
L3R 9W3

Attention: Chair and Members of the Development Services Committee

Your Worship and Members of Council:

**Re: Proposed New City of Markham Official Plan (the "New OP")**  
**And Re: 8359 Reesor Road**

Infrastructure Ontario is the agent for the Province of Ontario respecting the property known municipally as 8359 Reesor Road (the "Site"). We are generally supportive of the New OP. However, we are seeking modification to some of the policies as proposed for the Site.

By way of background, Infrastructure Ontario has been positively engaging with City staff and other interested stakeholders for quite some time on a program to provide for an appropriate form for employment uses on the Site. This process involved a comprehensive review of both the physical and policy context. The outcome of this process was previously reflected in the City Council resolution of May 31, 2011 which requested the Region of York to modify the Cornell Secondary Plan (the "Council Resolution") to provide for this development.

Consistent with this process and Council's direction, Infrastructure Ontario submits that the Site would appropriately be designated as Business Park Employment. However, in the New OP as currently constituted the Site is designated "Future Urban Area"/"Future Employment Area". This designation requires a further secondary plan amendment, which we believe is unnecessary given that the Site has been studied in sufficient detail. We further believe that the New OP should also be amended should such be necessary to implement the development program as has been articulated in the process to date for the Site.

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Infrastructure Ontario looks forward to working with the City and its officials to implement the Council Resolution in the context of finalizing the New OP. We would welcome Council's direction to work with City staff in this regard.

Please provide us with notice of the Development Services Committee's decision on the above-captioned matters, and also with notice of any subsequent consideration and/or decision respecting these matters by this Committee or Council.

Thank you for your kind consideration.

Yours truly,

Jeremy Warson  
Senior Project Manager, Development Planning  
Infrastructure Ontario

cc: John Dawson  
John Lohmus  
Anil Wijesooriya, Vice President, Development Planning, Infrastructure Ontario

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## HUMPHRIES PLANNING GROUP INC.

December 2, 2013  
HPGI File: 12311

Clerk's Department  
Town of Markham  
101 Town Centre Blvd.  
Markham, ON L3R 9W3

Attn: Kitty Bavington  
City Clerk

Re: 9329 McCowan Road  
Town of Markham Official Plan Review Process  
Development Services Committee Meeting - December 3, 2013

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On behalf of Terra Gold (McCowan) Properties Inc., owners of 9329 McCowan Road, Humphries Planning Group Inc. (HPGI) is corresponding to reiterate our previous request as contained in correspondence dated March 18, 2013 and April 23, 2013. The subject site is legally known as Part of Lot 17, Concession 7 in the Town of Markham. The request specifically seeks a Residential Mid Rise land use designation on the subject.

HPGI does not agree with the proposed Residential Low Rise Designation for the subject site in the City of Markham draft Official Plan, dated November 2013. HPGI is of the opinion that based on review of the draft OP the request for Residential Mid-Rise designation is appropriate as briefly outlined below:

Based on Section 8.1 - General Land Use, densities can be expected to be higher on large sites well serviced by public transit, as concentrated growth is desired in these locations. This applies to the subject site which is less than 56 metres from major transit stops at McCowan Road and 16th Avenue. Also the site has an adequate provision of transportation and water and waste water infrastructure, and community infrastructure to support higher density permissions. Surrounding community infrastructure includes the Bridge Community Church, Stonebridge Public School, St. Edward Separate School, Ramer Wood Public School, Markville Secondary School, Wismer Public School, Wismer Park, Cobblehill Parkette, Chelsea Park, Fredrick Bagg Park, Berczy Park, Belgrave Park,

216 Chrislea Road  
Suite 103  
Vaughan, ON  
L4L 8S5

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
~ Do Something Good Everyday! ~

Central Park and Manhattan Woods, As such, the above noted policy supports our request for both Low and Mid Rise Residential permissions to occur on the subject site.

Section 8.2.4 - Residential Mid Rise, states that:

*"Lands designated "Residential Mid-Rise" are generally located along arterial or major collector roads and are characterized primarily by mid-rise residential buildings that provide for a diversity of housing mix and building types and respect the existing character of the adjacent and surrounding areas. For the most part these areas are located near mixed-use developments and shopping centres."*

The subject site has frontage along two major Arterial Roads, 43.33 metres of frontage along 16<sup>th</sup> Avenue and 223.29 metres frontage along McCowan Road. The site is also within 400 metres of a major shopping centre plaza located at the south-west corner of McCowan Road and Bur Oak Avenue. The subject site is consistent with the above policy which describes as general locations for Residential Mid Rise designated lands. As such, the above noted policy supports our request for both Mid Rise Residential permissions to occur on the subject site.

We request that the City re-consider the planning merits of our request based on the new draft Official Plan policies, rather than relying on an old secondary plan and land use designation.

Should you have any questions, please contact the undersigned at ext. 244.

Yours truly,  
**HUMPHRIES PLANNING GROUP INC.**



Rosemarie L. Humphries BA, MCIP, RPP  
President

Cc: Terra Gold (McCowan) Properties Inc.

Encl. Correspondence dated March 18, 2013 and April 23, 2013

## HUMPHRIES PLANNING GROUP INC.

April 23, 2013  
HPGI File: 12311

Clerk's Department  
Town of Markham  
101 Town Centre Blvd.  
Markham, ON L3R 9W3

Attn: Kitty Bavington  
City Clerk

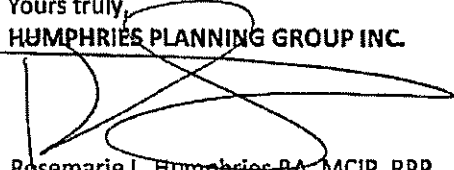
Re: 9329 McCowan Road  
Town of Markham Official Plan Review Process  
Development Services Public Meeting

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On behalf of Terra Gold (McCowan) Properties Inc., owners of 9329 McCowan Road, Humphries Planning Group Inc. is corresponding to reiterate previous request as contained in correspondence dated March 18, 2013. The subject site is legally known as Part of Lot 17, Concession 7 in the Town of Markham. The request specifically seeks a land use designation on the subject site for Residential Low/Mid Rise land use designation permissions.

Should you have any questions, please contact the undersigned at ext. 244.

Yours truly,  
HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP  
President

Cc: Terra Gold (McCowan) Properties Inc.

Encl. Correspondence dated March 18, 2013

218 Chrislea Road  
Suite 103  
Vaughan, ON  
L4L 8S5

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)

~ Do Something Good Everyday! ~

## HUMPHRIES PLANNING GROUP INC.

March 18, 2013  
HPGI File: 12311

Clerk's Department  
City of Markham  
101 Town Centre Blvd.  
Markham, ON L3R 9W3

Attn: Ms. Kltty Bavington  
City Clerk

Re: 9329 McCowan Road (former Salvation Army Site)  
City of Markham Official Plan 2012  
Development Services Committee Meeting March 19 2013  
Request for Re-Designation by Terra Gold (McCowan) Properties Inc.

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Humphries Planning Group Inc. is submitting the following letter on behalf of Terra Gold (McCowan) Properties Inc., which are new owners of 9329 McCowan Road legally known as Part of Lot 17, Concession 7 in the Town of Markham.

The subject site is located at the north east corner of McCowan Road and 16<sup>th</sup> Avenue and currently occupied by a cellular telecommunications tower, a single family dwelling and the Salvation Army Church. The property has frontage along 16<sup>th</sup> Avenue of 43.33 metres and frontage along McCowan Road of 223.29 metres and an area of 2.9 ha. A survey representing the subject site is attached for information purposes.

The subject site is currently designated under the Town of Markham Official Plan as Low Rise Residential and subject to the policies of the Wismer Commons Secondary Plan which designates the site as Institutional. The subject site is zoned RR4 - Rural Residential under By-law 304.87.

Surrounding land uses include, York Region Pumping station to the immediate south, rear yards of semi detached units fronting onto Maria Road to the east, McCowan Road, commercial uses (Gas Station) and flankage yards of single family and townhouse development to the west, existing residential lot with application proposing 3 storey office building (9365 McCowan Road) to the immediate north.

216 Chrislea Road  
Suite 103  
Vaughan, ON  
L4L 8S5

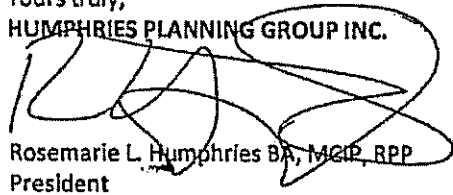
T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
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We are formally requesting that the City of Markham New Official Plan be amended to incorporate specific provisions for the subject site allowing for both Residential Low/Mid Rise land use designation permissions. In support of such a request we advise the municipality that given the location of the site and its relatively large parcel size in addition to the surrounding land use context as briefly described above, a variety of building forms and densities could reasonably be supported on the subject site. It is therefore appropriate for the City to allow the flexibility in its Official Plan for both Low and Mid Rise Residential lands to occur on the subject site.

We would be pleased to meet with staff to discuss this request in greater detail should the need arise.

Yours truly,  
HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP  
President

Encl. – site survey

cc. Client  
Mr. Jim Baird, Commissioner of Development Services  
Mr. Rino Mostacci, Director of Planning and Urban Design  
Ms. Marg Wouters, Senior Manager, Policy and Research

AMERICAN SOCIETY OF MECHANICAL ENGINEERS  
1120 AVENUE OF THE AMERICAS  
NEW YORK, N.Y. 10020-1299  
TEL: 212/292-6200 FAX: 212/292-6201  
WWW.ASME.ORG



7

Hau, Lucy

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**Subject:** FW: IMPORTANT - Draft OP

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**From:** Heath, Jack  
**Sent:** Monday, December 09, 2013 05:15 PM  
**To:** Vice-President Thornhill Ward One Burke, Valerie; Li, Joe; Shore, Howard;  
**Cc:** Kitteringham, Kimberley; Baird, Jim; Wouters, Margaret  
**Subject:** RE: IMPORTANT - Draft OP

Thanks. I can have your note added to the correspondence for tomorrow afternoon's Council meeting. 1pm.

**Jack Heath**  
Deputy Mayor of Markham & York Region Councillor  
905-415-7506 Cell 416-464-5517  
[jheath@markham.ca](mailto:jheath@markham.ca)

---

**From:** On Behalf Of Vice-President Thornhill Ward One  
**Sent:** December 9, 2013 5:13 PM  
**To:** Burke, Valerie; Heath, Jack; Li, Joe; Shore, Howard; Robert Armstrong  
**Subject:** IMPORTANT - Draft OP

Hello Councillor Burke, Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Howard Shore, Regional Councillor Jim Jones,

We understood that it was just another OP draft that it was going to Council, but we were told that it is the final OP.

Is it possible to ask for this to be held in the beginning of the year as we were so busy with other issues that we did not manage to read all the draft. The final draft version was just available this week.

We just read in the Memo that Shouldice Hospital is requesting a different height and more density that we are not in favor of this change and the reduced vegetation. We need all the green area available because we do not have a storm water management yet.

Thanks for your consideration.

Best regards,

Evelin Ellison

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December 9, 2013

By Email Only kbavington@markham.ca

Mayor and Members of Council  
City of Markham  
101 Town Centre Blvd.  
Markham, ON L3R 9W3

Attention: Your Worship and Members of Council

Dear Members of Council:

**Re: Draft New City of Markham Official Plan**

We act as planning consultants to Forest Bay Homes Ltd., the owners of a 2.0 ha parcel of land located at the southeast corner of Elson Street and Eastvale Drive in the Fairtree West community. This property is municipally known as 359 Elson Street and is currently vacant. This property was originally intended as a separate elementary school under the jurisdiction of the York Catholic District School Board, but the property became surplus to their needs. Forest Bay Homes is in the process of filing a draft plan of subdivision and rezoning application to permit a residential development on this block.

Our client is concerned with a number of the designations on the Maps that form part of the Draft New Official Plan.

Maps 1 designates the subject property as Neighbourhood Area. Maps 1 and 3 identify a Greenway System on the south side of the subject property. The same Greenway System on Maps 1 and 3 are labelled Natural Heritage Network on Map 4, Other Greenway System on Map 5 and Valley and Stream Corridors on Map 6.

I attended the Planning Department counter to determine to what extent, if any, that this Greenway System designation extends on the this property. I was not able to get a definitive answer at the counter primarily because the mapping is difficult to interpret without property line information.

The subject property is not subject to any environmental designation under the current Official Plan. Forest Bay Homes wishes to have assurance that the Greenway System designation on all of the above noted maps do extend onto the subject property.

PMG  
Planning  
Consultants

227 Bridgeland Avenue  
Toronto, Canada M6A 1Y7  
Tel. (416) 787-4935  
Fax. (416) 787-0004  
E-Mail: pmg@pmgplanning.ca

**pmg**

Kindly ensure that we are notified of any decisions made by Council in respect of this item and that we receive notice of any future public meetings and/or staff reports concerning this matter.

Should you have any questions, kindly contact me directly.

Yours very truly,



**PMG Planning Consultants**

A handwritten signature in black ink, appearing to read 'Julius De Ruyter', with a long horizontal stroke extending to the right.

Julius De Ruyter, MCIP, RPP  
Vice President

JDR/ed  
Encl.

cc Forest Bay Homes Ltd.



BOUSFIELDS INC.

9

Project No. 13155

December 9, 2013

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

To: Members of Markham Council

**Re: Revised Draft City of Markham Official Plan**

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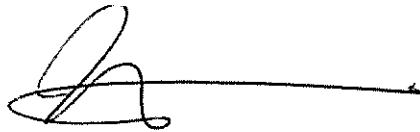
We are the planning consultants for Dundee Realty Corporation with respect to their property at 60 Columbia Way ("the subject site"). On their behalf we have reviewed the Revised Draft Official Plan (November 2013) that was considered by Development Services Committee and is now before Council. Based on our review, we would like to bring the following items to your attention:

- Policy 2.5.2.3 – we agree that *key development areas* should support "an overall long-term density target of a minimum of 2.5 floor space index for developable lands for each *key development area*" (our emphasis), and acknowledge that there will be an interim development period where FSI values within *key development areas* will be lower than 2.5.
- Policy 8.5.3.6 – we do not think it is appropriate to require the preparation of a comprehensive draft plan for all sites larger than one hectare. We request more flexible policy wording that would only require this where suitable or appropriate.
- Section 9.20 – we request confirmation that the entire Woodbine/404 district qualifies as a *key development area*, as per our interpretation.
- Policy 9.20.2(b) – we request clarification regarding whether residential land uses are permitted throughout the Woodbine/404 district or only in certain locations in the *key development area*. In this context, as residential uses are not prohibited in the *Business Park Office Priority Employment* land use designation, we request clarification regarding whether residential uses could be contemplated for the subject site.
- Map 10 – we understand that the Potential Mid-Block Crossing of the 400 Series Highway remains in the same conceptual location on the drafted Map 10 (Road Network) as on the currently in-force Official Plan's Schedule 'C' (Transportation). However, Map 10 proposes a Major

Collector Road (up to 30.5 metres right-of-way width) to connect to this Mid-Block Crossing at the southern portion of the subject site. We request further clarification on the process by which this Major Collector Road will defined, developed and maintained.

Thank you for the opportunity to bring these matters to your attention. If you have any questions or follow-up information, please do not hesitate to contact the undersigned.

Yours very truly,  
**Bousfields Inc.**



Michael Bissett, MCIP, RPP

MB/ca: jobs

cc. *Victor Settino, Dundee Realty Corporation*

Anna Maria Dimilta

December 8, 2013

Via E-mail

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

Attention: City Clerk

Dear Mayor and Members of Council:

Re: Objection to the City of Markham Draft Official Plan  
PART OF LOT 31 SIXTH CONCESSION TOWN OF MARKHAM.  
REGIONAL MUNICIPALITY OF YORK (the "**Subject Lands**")

Further to my letter dated April 16, 2013 (copy attached), this letter is to confirm that my concerns have not been addressed in the latest draft of the Proposed Official Plan.

I respectfully request that I be notified of any decision with respect to the Proposed Official Plan.

Yours truly,



Anna Maria Dimilta

Anna Maria Dimilta

April 16, 2013

Via E-mail: mpettit@markham.ca

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

Attention: Martha Pettit, Acting City Clerk

Dear Mayor and Members of Council:

Re: Objection to the City of Markham Draft Official Plan  
PART OF LOT 31 SIXTH CONCESSION TOWN OF MARKHAM.  
REGIONAL MUNICIPALITY OF YORK (the "Subject Lands")

I am writing to you as the property owner of the Subject Lands, which I have owned since 1997.

This letter is to formally express my preliminary concerns with respect to the proposed New City of Markham Official Plan (the "**Proposed Official Plan**"), and in particular, the policies respecting the environmental systems and land use as it relates to the Subject Lands.

I have reviewed the Proposed Official Plan and note that it is unclear as to whether a "Greenway System" as shown on Land Use Schedule Maps 1, 3, 4, 5, 6 and 9 apply to the Subject Lands. To be clear on this point, there are no significant environmental features or functions on the Subject Lands. We have previously met with City staff and pointed out mapping errors with respect to the proposed "Greenway System" and it does not appear that the errors have been completely resolved.

I strongly object to any of the policies or designations which apply a "Greenway System" designation to the Subject Lands as currently shown and request that it be removed prior to the approval of the Proposed Official Plan.

I also object to the land use policies contained within section 8, including sections 8.6, 8.7 and 8.8 which would restrict the ability to subdivide the Subject Lands to form additional lots consistent with the typical existing lots along 19<sup>th</sup> Avenue.

I have not had an opportunity to respond to each and every policy contained in the Proposed Official Plan and it is not to be taken that I agree to any policies to the extent that they may restrict my ability to develop the Subject Lands in a manner that is consistent with the surrounding lots in the area.

Further, and in any event, I request that I be provided with notice of any future meetings of Council and/or Committees of Council and/or Public Meetings and/or Community Consultation where the Proposed Official Plan is to be considered. Also, I respectfully request that I be notified of any Notice of Decision with respect to the Proposed Official Plan.

Should you have any questions or require additional information, please do not hesitate to call.

Yours truly,

A handwritten signature in black ink, appearing to read "Anna M. Dimilta". The signature is fluid and cursive, with a large initial "A" and a stylized "M".

Anna Maria Dimilta



11

Dominic Dimilta, Rocco Dimilta and Antonio Dimilta  
4584 19<sup>th</sup> Avenue  
Markham, Ontario L6C 1M4  
Tel: 416-292-8900  
E-mail: info@alpinelawn.ca

December 8, 2013

Via E-mail

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

Attention: City Clerk

Dear Mayor and Members of Council:

Re: Objection to the City of Markham Draft Official Plan  
4584 19<sup>th</sup> Avenue, Markham, Ontario (the "**Subject Lands**")

Further to my letter dated April 16, 2013 (copy attached), this letter is to confirm that our concerns have not been addressed in the latest draft of the Proposed Official Plan.

Further, and in any event, I request that I be provided with notice of any Notice of Decision with respect to the Proposed Official Plan.

Should you have any questions or require additional information, please do not hesitate to call.

Yours truly,



Dominic Dimilta

Dominic Dimilta, Rocco Dimilta, Pat Dimilta and Antonio Dimilta  
4584 19<sup>th</sup> Avenue  
Markham, Ontario L6C 1M4  
Tel: 416-292-8900  
E-mail: info@alpinelawn.ca

April 16, 2013

Via E-mail: mpettit@markham.ca

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

Attention: Martha Pettit, Acting City Clerk

Dear Mayor and Members of Council:

Re: Objection to the City of Markham Draft Official Plan  
4584 19<sup>th</sup> Avenue, Markham, Ontario (the "Subject Lands")

I am writing to you as the property owners (Dominic Dimilta, Rocco Dimilta, Pat Dimilta and Antonio Dimilta) of the Subject Lands, which we have owned since 1978.

This letter is to formally express our preliminary concerns with respect to the proposed New City of Markham Official Plan (the "**Proposed Official Plan**"), and in particular, the policies respecting the environmental systems and land use as it relates to the Subject Lands.

We have reviewed the Proposed Official Plan and note that it is unclear as to whether a "Greenway System" as shown on Land Use Schedule Maps 1, 3, 4, 5, 6 and 9 apply to the Subject Lands. To be clear on this point, there are no significant environmental features or functions on the Subject Lands. We have previously met with City staff and pointed out mapping errors with respect to the proposed "Greenway System" and it does not appear that the errors have been completely resolved.

We strongly object to any of the policies or designations which apply a "Greenway System" designation to the Subject Lands as currently shown and request that it be removed prior to the approval of the Proposed Official Plan.

I also object to the land use policies contained within section 8, including sections 8.6, 8.7 and 8.8 which would restrict the ability to subdivide the Subject Lands to form additional lots consistent with the typical existing lots along 19<sup>th</sup> Avenue.

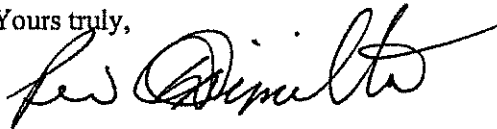
I have not had an opportunity to respond to each and every policy contained in the Proposed Official Plan and it is not to be taken that I agree to any policies to the extent that

they may restrict my ability to develop the Subject Lands in a manner that is consistent with the surrounding lots in the area.

Further, and in any event, I request that I be provided with notice of any future meetings of Council and/or Committees of Council and/or Public Meetings and/or Community Consultation where the Proposed Official Plan is to be considered. Also, I respectfully request that I be notified of any Notice of Decision with respect to the Proposed Official Plan.

Should you have any questions or require additional information, please do not hesitate to call.

Yours truly,

A handwritten signature in black ink, appearing to read "Dominic Dimilta", with a stylized flourish at the end.

Dominic Dimilta

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December 9, 2013

By Email Only kbavington@markham.ca

Mayor and Members of Council  
City of Markham  
101 Town Centre Blvd.  
Markham, ON L3R 9W3

PMG  
Planning  
Consultants

227 Bridgeland Avenue  
Toronto, Canada M6A 1Y7  
Tel. (416) 787-4935  
Fax. (416) 787-0004  
E-Mail: pmg@pmgplanning.ca



Attention: Your Worship and Members of Council

Dear Members of Council:

**Re: Draft New City of Markham Official Plan**

We act as planning consultants to Norfinch Construction (Toronto) Limited, the owners of a 0.75 ha parcel of land located at the southwest corner of Reesor Road and Highway 7. Our client is concerned with a number of the designations on the Maps that form part of the Draft New Official Plan.

Maps 1 and 12 identify this property is being within a Future Urban Area with an underlying Employment Area designation. Map 3 Identifies this property as a Future Employment Area. It is our understanding that the City of Markham is supportive of this property and surrounding lands in this portion of the Cornell Community being located within the urban boundary. We request the following with respect to this property:

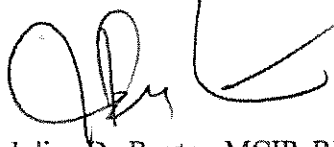
- this property be brought into the Urban Boundary
- reference to Future Urban Area and Future Employment Area be deleted
- this property be designated Employment Area on Maps 1 and 2
- this property be designated Business Park Employment on Map 3

Kindly ensure that we are notified of any decisions made by Council in respect of this item and that we receive notice of any future public meetings and/or staff reports concerning this matter.

Should you have any questions, kindly contact me directly.

Yours very truly,

**PMG Planning Consultants**

A handwritten signature in black ink, appearing to read 'Julius De Ruyter', with a stylized flourish at the end.

Julius De Ruyter, MCIP, RPP  
Vice President

JDR/ed  
Encl.

cc Norfinch Construction (Toronto) Limited

13

Dentons Canada LLP  
77 King Street West, Suite 400  
Toronto-Dominion Centre  
Toronto, ON, Canada M5K 0A1  
T +1 416 863 4511  
F +1 416 863 4592

December 9, 2013

File No.: 553764-1

**SENT VIA E-MAIL (kkitteringham@markham.ca)**

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

Attention: Legislative Services (Clerk's Department)

Dear Mayor and City Council:

**RE: City Council's Consideration of Development Services Committee Report No. 50, Item 10.0 (December 10, 2013)  
Adoption of Revised Draft Official Plan (Part I) - Development Services Committee Agenda Item 10.0 (December 3, 2013)  
Region of York Official Plan Amendment No. 3**

Please be advised that we are solicitors for 4716 Elgin Mills Markham Ltd., Kennedy MM Markham Ltd., Markham MMM North Development Corp. and Markham MMM South Development Corp. with respect to four properties in the northwest of the City of Markham (the "City") which are set out on the attached map (the "Lands").

We have been directed to communicate our clients' comments regarding the Development Services Committee Report on the Adoption of Official Plan Amendment (Part I), which is scheduled for consideration by City Council on December 10, 2013 as Council Agenda Item 6(B) (Report No. 50). These comments relate to the concurrent review and approval process for Region of York (the "Region") Official Plan Amendment No. 3 ("ROPA 3").

We understand that the Development Services Committee (the "Committee"), at its meeting on December 3, 2013, adopted recommendations that identified which specific lands should be included by the Region as part of ROPA 3 in the event that the Ontario Municipal Board ("OMB") determines that additional lands are required.

As you are aware, the Region is engaged in a review and approval process for ROPA 3, including ongoing OMB appeals. Our clients did not appeal the exclusion of any of their Lands from ROPA 3. However, it is our view that if additional lands are to be included as part of the ROPA 3 process, their Lands or at least some of their Lands should be considered for inclusion within the urban boundary. In particular, we support the City's position that the inclusion of additional lands in the area of the

intersection of Major Mackenzie and McCowan Road is the most appropriate location for urban boundary expansion, as we believe there are strong planning grounds for inclusion of lands in this area.

However, it is our view that it may not be appropriate for City Council to select exactly which properties, by address, should be included in the potential expansion of the urban boundary. Similarly, it may not be appropriate to specify an exact acreage for such expansion, as a decision has not yet been released in the ROPA 3 OMB hearing setting out the amount of additional land required, if any.

Our clients support City Council in directing that additional lands, if warranted, be included within the urban boundary around the intersection of Major Mackenzie and McCowan Road. This, in our opinion, would be a more appropriate resolution for the City of Markham to pass at this particular point in time.

Our clients also support the recommendation that City staff be directed to report on the amount and the preferred location in the Major Mackenzie and McCowan area after the ROPA 3 decision has been released by the OMB.

We hereby request that we receive notice and documentation regarding any further proceedings and decisions relating to these matters.

Should you have any questions about this letter or the concerns set out herein, please contact the undersigned at your earliest convenience.

Yours very truly,  
**Dentons Canada LLP**



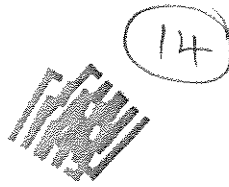
*per* Jason Park  
JIP/AGF

Attachment

c.c. 4716 Elgin Mills Markham Ltd.  
Kennedy MM Markham Ltd.  
Markham MMM North Development Corp.  
Markham MMM South Development Corp.







# Gatzios Planning + Development Consultants Inc.

File No: 65MA-1116

December 9, 2013

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

**Attention:** Mayor and Members of Council

**Regarding: ADOPTION OF REVISED DRAFT OFFICIAL PLAN  
COUNCIL MEETING DECEMBER 10, 2013  
AGENDA ITEM 6(B) (6)  
ON BEHALF OF THE BERCZY GLEN LANDOWNERS GROUP (BGLG)  
CONCESSION BLOCK 4  
WEST OF WARDEN AVENUE AND SOUTH OF ELGIN MILLS ROAD EAST  
PART OF FUTURE URBAN AREA ROPA 3**

Your Worship and Members of Council:

We write regarding the City's proposed new Official Plan further to our letter of January 21, 2013 on behalf of the BGLG. The following matters are also of concern regarding the latest draft of the new Official Plan, and we request your consideration of making several changes to the new Official Plan, as follows.

## **1. MAPPING CONCERNS**

Map 5 – Natural Heritage Features and Landforms, and Map 6 – Hydrologic Features, as well as other Maps and Appendices which appear to use these two Maps as a base, include a '**Permanent and Intermittent Streams**' blue line running west from Warden Avenue in the BGLG lands (see copies attached with red bubble outline).

The BGLG have hired environmental consultants in 2013, and their investigations of existing environmental conditions on the BGLG lands has not identified the area noted as a permanent or intermittent watercourse. It was identified to be a drainage feature that is a combination of tile drainage and remnant high flow overflow channel. I am advised that ongoing analyses will determine if it will be addressed as a headwater drainage feature, but that it should not be shown as permanent or intermittent watercourse.

We therefore request that the blue line be deleted on all MAPS on which it appears.

## 2. POLICY CONCERNS WITH CHAPTER 3

As indicated, the BGLG have retained several environmental consultants and have reviewed with them the City's revised draft (November 2013) Chapter 3 policies, including Stonybrook Consulting Inc. and Beacon Environmental. The following comments and concerns are submitted for your consideration on some of the proposed Chapter 3 policies, and we believe mirror comments being received from other landowners in the ROPA 3 area. We suggest that all of these Chapter 3 policies, and also several related policies, require some reconsideration and revisions:

Policy 3.1.1.3 b) states that *"major modifications to the boundaries of the Greenway System components, as determined by the City, shall only occur through an amendment to this Plan. An amendment to this Plan shall not be required to add lands to the Greenway System where confirmed through an appropriate study"*. Wording of this policy is unclear and contradictory. As well, any additions to the Greenway System should not be implemented through study recommendations; they should require an OPA. We suggest that the last sentence be removed.

Policy 3.1.1.3 also states that, *"Where the removal of natural heritage and hydrologic features is supported through one or more of the studies referred to above, appropriate compensation shall be provided by the landowner at their cost."* This policy could be interpreted to mean that the removal of any feature regardless of its size, condition or function requires compensation. We suggest that this policy be removed or qualified as the removal of some features may be supported due to their very minor nature or functions. In such circumstances where features are not of significance, their compensation should not be required by policy.

Policy 3.1.1.10 requires minimum vegetation protection zones ("VPZ"s), as identified in policy 3.1.2.23. Minimum VPZs are set out in policy, as the City's OP applies Oak Ridges Moraine Conservation Plan ("ORMCP") or Greenbelt Plan VPZs to all locations in the municipality. The ROPA 3 lands include Greenbelt Plan lands but they are not part of the ORMCP. The Greenbelt Plan does not establish a VPZ for Significant Valleylands (the ORMCP does), however, the City's draft OP sets out a VPZ of 30m from Significant Valleylands. This means that a 30m setback from a stable top of bank would be required. This is not technically justified and not consistent with Greenbelt Plan policies. We suggest that the VPZ for Significant Valleylands outside of the ORMCP be noted separately to be determined through appropriate study.

Policy 3.1.2.11, paragraph prior to policy numbering, states that it is the intent of this Plan that key natural heritage features and key hydrologic features be assessed, expanded and planned for in a comprehensive, integrated manner. We request the removal of 'expanded' as it is unclear and open to a wide range of interpretation. We are concerned as to how this would be applied in the context of balancing environmental protection with community design objectives.

Policy 3.1.2.12 prohibits development, redevelopment and site alteration with key natural heritage features and key hydrologic features and their vegetation protection zones as determined through environmental impact studies except for uses provided in this Plan. This does not appear to allow for the removal of small isolated wetlands that may exist on the landscape separate from the Greenway System. These small features are very difficult to maintain in an urban setting and can affect community design. Studies may determine that their removal and replacement with the Greenway is desirable. It is unclear if this policy would allow for such circumstances. We have similar comments on policies 3.1.2.20 and 3.1.2.21. Regarding policy 3.1.2.21, we suggest changes to the intent that no negative impacts must be demonstrated for development surrounding any wetlands. The 'no negative impact' test came from the PPS and was intended to apply to PPS features, not all features.

Policy 3.2.1 requires, *"the protection, expansion and integration of urban forest into all new communities – urban forest includes hedgerows and individual trees on public and private lands"*. We suggest that this is not a proper and workable policy – policy 3.2.6 provides slightly better, more flexible wording - these two policies appear to be in conflict. Policy 3.2.1 is also in conflict with policy 3.1.1.12 that provides some flexibility to remove hedgerows and small woodlot features.

Policy 3.3.2.1 wording is problematic. It requires that development, redevelopment and site alteration be directed away from sensitive groundwater features and sensitive surface water features. The definition of sensitive surface water features includes Class 1 Streams as defined through the use of the Small Stream Study recommendations. The definition needs to be modified to remove reference to the Class 1 streams. Also, we continue to support the use of the PPS wording from PPS policy 2.2.2 to 'restrict' development and site alteration in these features. Further, regarding policy 3.3.2.7, although the City has made changes in 3.3.2.7 that appear to introduce some flexibility regarding the use of the Small Streams study, including Class 1 streams as per the SSS in policy 3.3.2.1 is problematic. It appears that the flexibility introduced to policy 3.3.2.7 would change the interpretation of policy 3.3.2.1 as currently written.

Policy 3.3.2.7 requires the use of the City's Small Stream protocol for the assessment of headwater drainage features, however we prefer the use of the TRCA protocol. Discussions are ongoing with the City and TRCA regarding which protocol is to be used for study of the ROPA 3 area, and we therefore suggest revised wording to at least allow the flexibility to work with alternative protocols such as the TRCA's.

Policy 3.3.3.2 raises concern with 'a) maintain groundwater quality and flow and baseflow'. This is not consistent with changes made to policy 3.3.2.2. We request that 'maintain' be changed to 'protect', which is consistent with the tone of the other verbs used in this policy and with policy 3.3.3.2.

Policy 3.3.3.5 requires that "...all SWM facilities be designed and constructed to meet or exceed provincial requirement for SWM BMPs and in accordance with Markham's SWM Guidelines..." We believe that guidelines should be considered or addressed but they are guidelines therefore 'in accordance with' wording is not appropriate.

Policy 3.3.3.6 should be modified to be consistent with policy 3.3.2.2.

Policies 3.3.3.8 and 3.3.3.9 raise concerns as these policies will not allow SWM ponds in portions of the Greenbelt, in situations where such locations would be in accordance with Greenbelt Plan policies. The City has placed further restrictions than the Greenbelt Plan policies provide for by prohibiting where ponds can be located in vegetation protection zones. In policy 3.3.3.9, the City sets out what we believe are impossible and unachievable tests for locating ponds in the Natural Heritage Network, resulting in no ponds will be allowed in vegetation protection zones. We believe this wording should be changed.

We trust the above is satisfactory and look forward to working with the City towards a final and new Official Plan for Markham. The BGLG and its consultants are available for a meeting to discuss these comments at staff's earliest opportunity, if required.

Sincerely,

Gatzios Planning + Development Consultants Inc.

A handwritten signature in black ink, appearing to read 'M. Gatzios', with a stylized flourish at the end.

Maria Gatzios, MCIP RPP

Enclosures.

Copy to: Ms. K. Bavington, City Clerk  
Mr. M. Cosburn, BGLG Development Manager  
Ms. N. Mather, Stonybrook Consulting Inc.

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**Hau, Lucy**

**From:** Bavington, Kitty  
**Sent:** Tuesday, December 10, 2013 10:24 AM  
**To:** Maria Gatzios; Hau, Lucy; Carroll, Judy  
**Cc:** Wouters, Margaret; Mac Cosburn; Nancy Mather; James Koutsovitis  
**Subject:** RE: Submission re new OP - BGLG landowner group in ROPA 3  
**Attachments:** BGLG letter to Markham OP Dec 2013.pdf

Thank you for your submission.

**Kitty Bavington**  
Council/Committee Coordinator  
City of Markham  
101 Town Centre Blvd.,  
Markham ON. L3R 9W3

905-477-7000 x 3695  
[kbavington@markham.ca](mailto:kbavington@markham.ca)



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**From:** Maria Gatzios [<mailto:maria@gatziosplanning.com>]  
**Sent:** December-10-13 10:21 AM  
**To:** Bavington, Kitty  
**Cc:** Wouters, Margaret; Mac Cosburn; Nancy Mather; James Koutsovitis  
**Subject:** Submission re new OP - BGLG landowner group in ROPA 3

Dear City Clerk,

Below please find a letter and attachments regarding agenda item 6(B)(6) for today's Council meeting considering the new Official Plan.

thank you, Maria

Maria Gatzios, MCIP RPP  
Gatzios Planning + Development Consultants Inc.  
3rd. Floor  
701 Mount Pleasant Rd.  
Toronto, Ontario  
M4S 2N4  
t 647.748.9466  
c 416.716.5506  
[maria@gatziosplanning.com](mailto:maria@gatziosplanning.com)

## NOVEMBER 2013








NOVEMBER 2013

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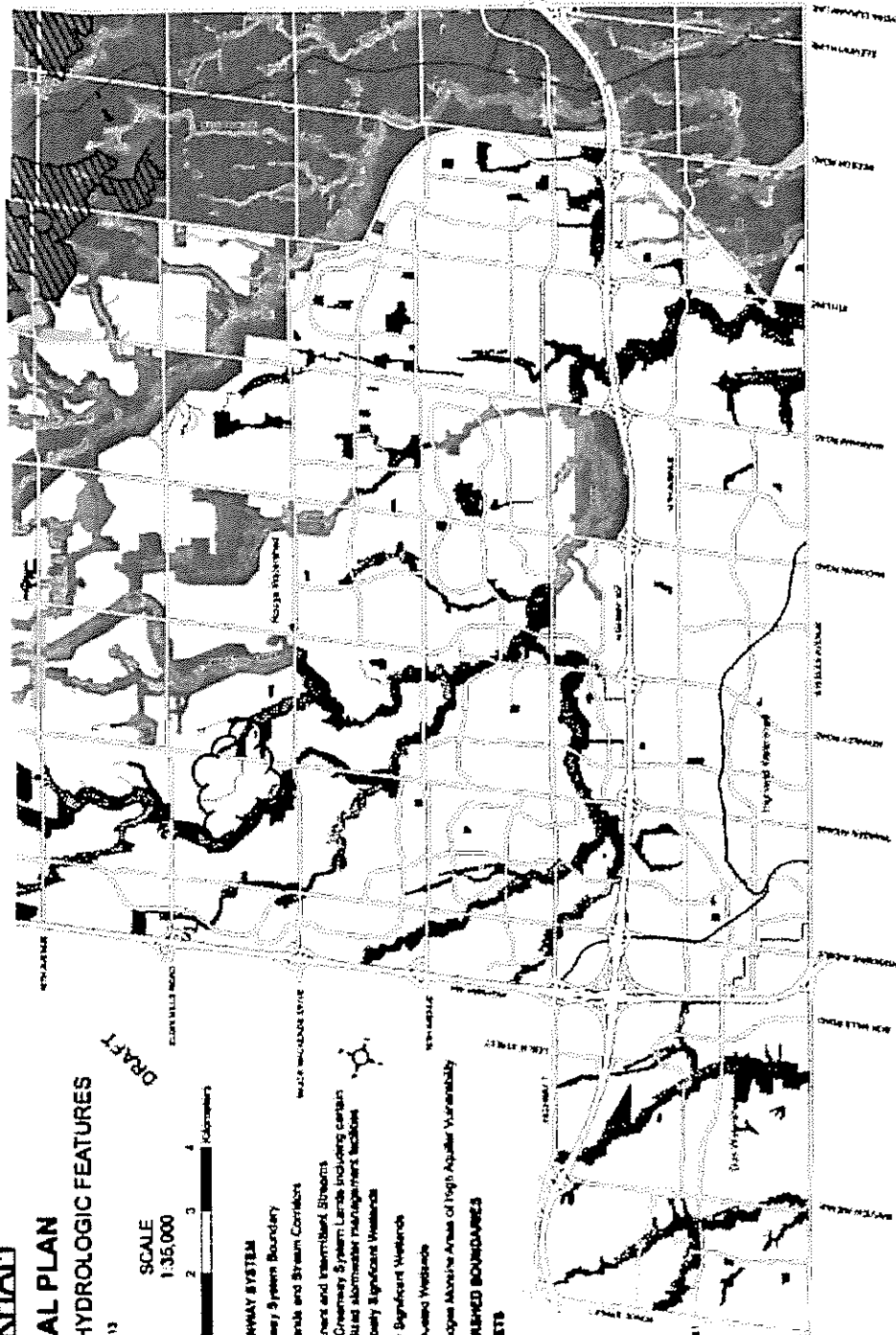
**POSTAL ADDRESS**

-  Cemetery System Boundary  
 Valleyheads and Stream Corridors  
 Permanent and Intermittent Streams  
 Other Cemetery System Lands including certain  
 reutilized abutment management facilities  
 Proximity Significant Wetlands  
 Locally Significant Wetlands  
 Unyielding Wetlands

### Using Program Manager's Access of High Aquifer Vulnerability

**ESTABLISHED BY THE NATIONAL**

**U.S. MARINE**



.....



**OFFICIAL PLAN**  
**MAP 5 - NATURAL HERITAGE**  
**FEATURES AND LANDFORMS**

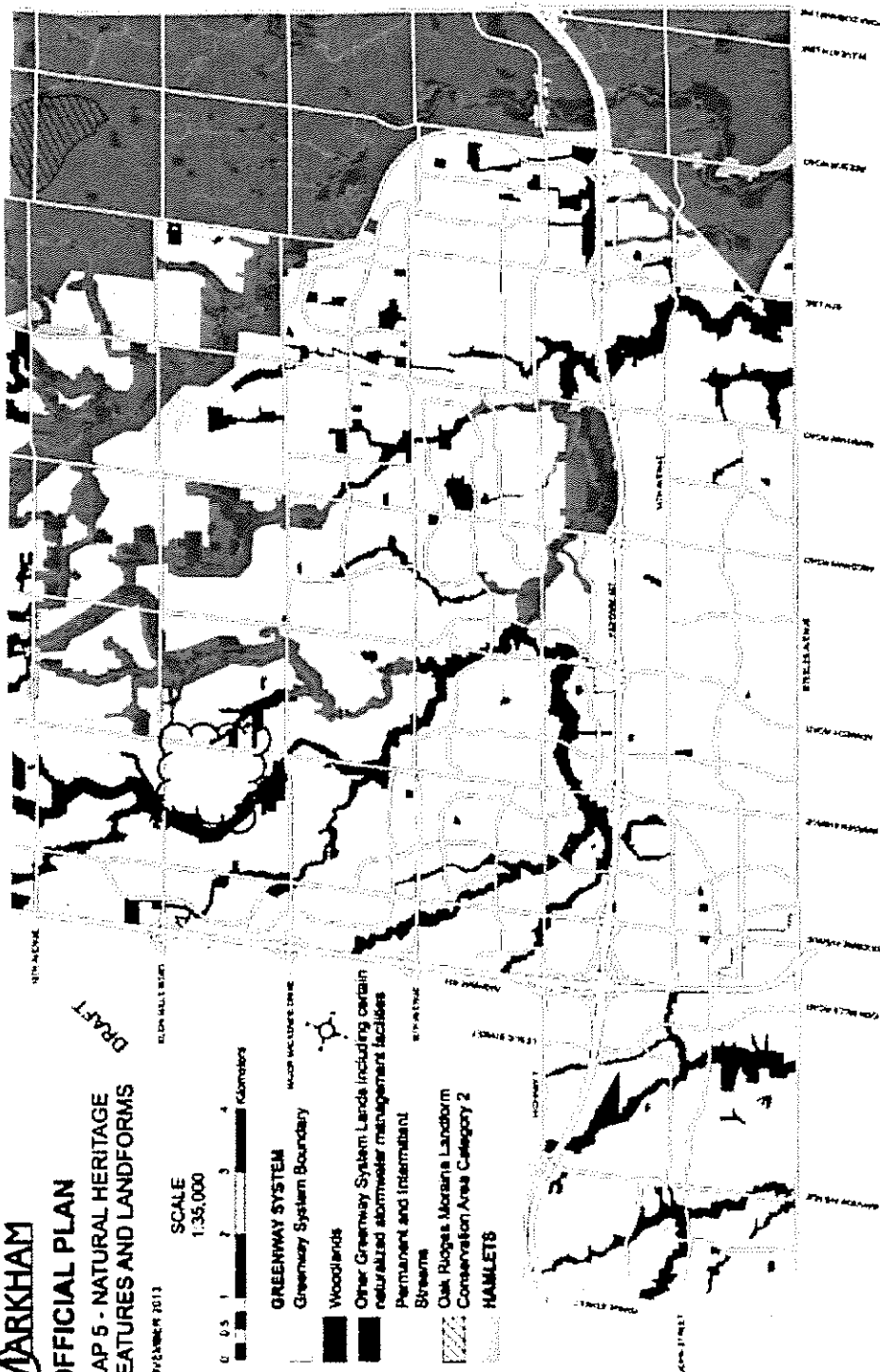
NOVEMBER 2013

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- GREENWAY SYSTEM**
  - Greenway System Boundary
  - Woodlands
  - Other Greenway System Lands including certain naturalized stormwater management facilities
  - Permanent and Interim Land
  - Screening
  - Oak Ridges Moraine Landform
  - Conservation Area Category 2
- HAMLETS**



5. Markham Region Official Plan, Map 5 - Natural Heritage Features and Landforms, November 2013