

# THOMSON ROGERS

## LAWYERS

*Stephen J. D'Agostino*  
416-868-3126  
*sdagostino@thomsonrogers.com*

October 8, 2013

### VIA E-MAIL ONLY

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

Dear Sirs/Mesdames:

**Council Meeting October 8, 2013**  
**Future Urban Area Studies – Report No. 40 – Development Services Committee**  
**Item 6(c), (2) and (3),**  
**Our File No. 050917**

We are writing to you on behalf of Colebay Investments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited, Summerlane Realty Corp., Brentwood Estates Inc., Markham MMM North Development Corp. and Markham MMM South Development Corp. all of whom own land in North Markham located in the concession bordered by Major MacKenzie Drive, Elgin Mills Road East, McCowan Road and HWY 48. We wrote to Council in connection with growth matters in Markham on September 24 and 25, 2012, and January 28 and April 23, 2013.

Council knows from our previous correspondence that our clients support the vision in Staff's original Official Plan Report that emphasizes "building complete communities" and "increasing mobility/transit options by pursuing a transit culture." Unfortunately, the Region of York's new Official Plan, including the ROPA 3 boundary, currently before the Ontario Municipal Board, does not implement that vision. That is why we are asking Council to take a more comprehensive view of the Future Urban Area servicing and subwatershed studies on today's agenda.

Given that the Future Urban Area Boundary set out in the City's Official Plan must conform to the ROPA 3 boundary, and that the boundary is in dispute before the Ontario

Municipal Board, we believe that it is inappropriate to risk time and money on studies which have been limited to the disputed area.

In addition, it is clear from the Province's Growth Plan requirements for the Region of York, up to 2036, that a substantial portion of the Whitebelt in Markham will be designated urban in the near future. The Region will begin its comprehensive review for the 2016-2036 planning period shortly.

Given that Markham's Whitebelt area is easily defined by the urban area to the South and West, the Greenbelt boundary to the East and the municipal boundary to the North, identifying the long term study area at this point is a simple task.

Extending the Future Urban Area studies to include the Whitebelt ensures that planning for land use and infrastructure is not done on a piece-meal basis but rather is undertaken comprehensively. We believe that comprehensive planning for the needs of future development by undertaking the subwatershed and servicing studies for the Whitebelt area now will result in a better, more cost efficient and environmentally sustainable solution for the City and its residents. Such an approach would have the advantage of:

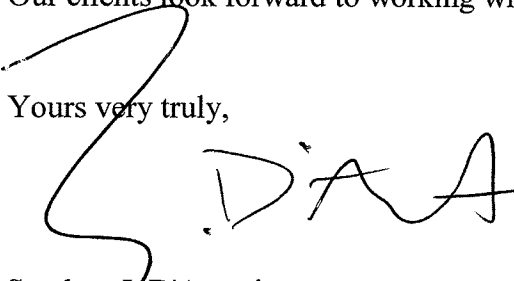
- Ensuring that storm water works, planned on a watershed basis, are designed comprehensively to avoid costs being thrown away in the future by failure to properly size storm water facilities taking into account development likely to occur in the 2036 time period. As well, comprehensive storm water design ensures that facilities will be located where they are most advantageous to the local environment;
- Allowing the environment, and environmental protection features to be planned comprehensively including key linkages throughout the Whitebelt and connections to the Rouge Park;
- Designing transportation works and transit accessibility that leverage the Don Cousens Parkway and is focused on the Whitchurch-Stouffville GO line in the most efficient way. The Don Cousens Parkway is a major component in the Whitebelt beyond the current ROPA 3 boundary. Its routing has not yet been determined West of Highway 48. As a result, associated road and transit linkages that connect to Don Cousens Parkway cannot be properly planned which will lead to inevitable "shoe horning" in the future. A comprehensive transportation plan ought to take into account both the future location of the Don Cousens Parkway as well as the development of appropriate linkages to the Whitchurch-Stouffville Go line;

- Leveraging efficiencies in the McCowan trunk sewer that will ultimately be required for the build out of the Whitebelt. Undertaking that study now could permit upstream alignments that minimize long term costs to both the municipality and land owners. Council should be aware that our request is consistent with the Region of York's long-term planning for the York Durham sewage system which includes the location of a connection point and preliminary planning for the North Markham collector sewer on McCowan. In our submission, the Town should follow a similar course of action to ensure the most feasible and long term sustainable servicing solution is provided; and
- Decisions with respect to urban structure can be taken into account having regard for significant environmental and transit goals already set out in the City's draft Official Plan.

As a result of the foregoing, we request that Council direct staff to bring the above captioned reports back for Council's consideration based on a study area that includes the Whitebelt beyond the disputed ROPA 3 boundary.

Our clients look forward to working with you and your Staff with respect to the foregoing.

Yours very truly,



Stephen J. D'Agostino  
*Stephen Joseph D'Agostino Law Professional Corporation*

SJD/pgf

c. Clients