

Reply Attention of	Mary Flynn-Guglietti
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Our File No.	215547
Date	January 21, 2016

## **DELIVERED BY E-MAIL TO CLERK'S OFFICE**

City of Markham  
101 Town Centre Blvd.  
Markham, ON L3R 9W3

**Attention: Chair and Members of the Development Services Committee**

Dear Chair Regional Councillor Jim Jones and  
Members of the Development Services Committee:

**Re: Item No. 3 on January 25, 2016 Agenda (Time: 9:45 am)  
Presentation by Remington Group ("Market Village")  
4390 Steeles Avenue East  
Application for Site Plan Approval for a Commercial Development  
File No. SC 07 128832 (10.6)**

We are the solicitors representing Pacific Mall Developments Inc., with respect to its ownership interests in the Pacific Mall. The Pacific Mall is located at 4300 Steeles Avenue East, in the City of Markham on the north side of Steeles Avenue, just east of Kennedy Road. The Pacific Mall lands immediately abut the Market Village lands municipally known as 4350 Steeles Avenue.

The Pacific Mall is located in the middle of the large triangular parcel of land located north of Steeles Avenue, east of Kennedy and west of the rail line. The Pacific Mall is the middle parcel and totals 5.18 ha (12.8 acres). Kennedy Corners has a site area of 1.1 ha (2.72 acres) and is the slender retail plaza to the west of Pacific Mall. The Market Village site totals 9.44 ha (23.32 acres) and is located immediately east of Pacific Mall and west of the rail line. I am attaching for your review and consideration a map of the triangular parcel illustrating the location of the 3 parcels within the triangular parcel.

As you will note from reviewing the attached map there are no municipally owned roads within the triangular parcel of land. In fact the patrons of all three (3) properties move throughout each of the individual properties to the municipal road network through private driveways, which have registered cross easements. All three properties are located in close proximity to each other and rely upon each other's property for the mutual easements and rights of way provided for by the easement agreements for the purpose of parking and driving aisles.

As noted in the January 25<sup>th</sup> Planning Staff report, upon review of the proposed site plan of Market Village it is clear that the proposed redevelopment of the Market Village lands, by necessity, require the changing and removal of parking areas, as well as the changing of access roads and driving isles. As a result of the various easements and rights of ways, such

changes may not be made without the express permission of both the Pacific Mall and Kennedy Corners. In other words this proposal cannot be achieved without the permission of the land owners within the triangular parcel.

As discussed in the staff report Market Village has been meeting with the neighbouring landowners to resolve outstanding issues, however at this time no agreement has been reached. It has long been the desire of the City of Markham that the triangular parcel be dealt with on a comprehensive basis and not in a piece meal fashion. As members of the Development Services Committee are well aware the amount of traffic and potential traffic congestion that could result from the approval of the Market Village redevelopment application being approved in isolation of a comprehensive review would not represent good land use planning and would not be in the interest of the three (3) property owners.

Accordingly we do not believe that the Development Services Committee should “affirm its endorsement, in principle” of the Market Village site plan and delegate to the Director of Planning and Urban Design final site plan approval until Market Village has finalized satisfactory arrangements with the owners of the Pacific Mall and Kennedy Corners regarding any modifications required to the registered cross easements over driveways and parking areas that are needed to accommodate the proposed development. We are therefore recommending the following wording to replace recommendation #4 in the staff report as follows:

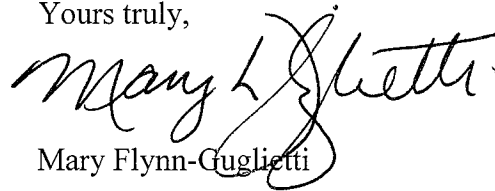
4. **That final site plan approval be delegated to the Director of Planning and Urban Design, to be issued (Site Plan Approval is issued only when the Director of Planning and Urban Design or his designate has signed the site plan “approved”) when the following conditions have been met:**
  - **The Owner has entered into a site plan agreement with the City and the Region of York containing all standard and special provisions and requirements of the City and public agencies and the provisions outlined in Appendix “A”.**
  - **The Owner has obtained approval from the Committee of Adjustment for the minor variances required to permit the proposed development.**
  - **The Owner has entered into arrangements satisfactory to the owners of the Pacific Mall and Kennedy Corners, both of which have registered cross easements over driveways and parking areas that will need to be modified to accommodate the proposed development. (new paragraph)**

We respectfully submit that due to the unusual nature of the lack of public roads within the triangular parcel that it is imperative that both staff and the Council of Markham are satisfied that proper arrangements have been secured regarding parking, access and driving aisles

to ensure an orderly operation of all three (3) properties within the triangular parcel. We believe that it would be premature to proceed with site plan approval prior to securing the necessary modifications to the existing easements and rights of way that are essential to the traffic flow within the triangular parcel.

Kindly list me as a deputation before the Development Services Committee at its meeting on January 25, 2015 in order to address this important issue. Should you have any questions please do not hesitate to call me.

Yours truly,

A handwritten signature in black ink, appearing to read "Mary L. Guglietti". The signature is fluid and cursive, with a large loop at the end.

Mary Flynn-Guglietti

/jl

Cc: Pacific Mall Developments Inc.  
Kennedy Corners  
Remington Group (rpeddigrew@remingtongroupinc.com)  
Scott Heaslip, City of Markham





# AIR PHOTO

APPLICANT: THE REMINGTON GROUP (MARKET VILLAGE MARKHAM)  
4390 STEELES AVE. EAST

FILE No. SC. 07128831 (SH)

 SUBJECT LANDS

Q:\Geomatics\New Operation\2015 Agenda\SC\SC07128831\SC07128831.mxd

DATE: 10/11/2015



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SH

FIGURE No. 3