

APPENDIX A

Kanji, Teema

From: Bavington, Kitty
Sent: Tuesday, April 12, 2011 3:43 PM
To: Kanji, Teema
Subject: FW: Official Plan Review.

Arrived too late for addendum agenda - will hand it out tonight

- Kitty

-----Original Message-----

From: f.mctavish@sympatico.ca [mailto:f.mctavish@sympatico.ca]
Sent: April 12, 2011 3:38 PM
To: Bavington, Kitty
Subject: Official Plan Review.

Please be advised that , as a life long resident of the Township/Town of Markham (D. O. B. : July 1947) , I continue to be concerned about the trend of many of our elected officials to enthusiastically approve most (if not all) applications from the Development Industry , thus eliminating more and more of Canada's top farmland.

The fact that these very same Officials accept large Developer financial donations is very troubling.

As soon as they have voted in Council to cover all fields north of Major Mackenzie Drive , will they start working extending the urban sprawl beyond Elgin Mills Road?

I believe that this trend must stop , and the current Provincial legislation should be challenged.

A good start would be looking at every means possible to help what few Farmers we have remaining , to have the financial incentives to continue , rather than selling out to people who would destroy more of our foodbelt.

I would be grateful if you could make my thoughts known to all members of Markham Council.
Sincerely,

Fraser McTavish.
2 Quarry Stone Drive
Markham.

Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

Subject: Input for Markham's Official Plans
Date: Tuesday, April 12, 2011 4:11 PM
From: Jeanne Ker-Hornell <jkerh@rogers.com>
To: To the Mayor and Council

Speaking to Council April 14th 2011 by Jeanne Ker-Hornell

Thank you Your Worship, and Members of Council, for planning our Town's future, and giving communities a chance for input into these very important plans.

Markham is rapidly becoming an outstanding, distinct Town, with many facets to be considered. We are being watched and envied by other communities, and the One Aspect that can make or break our continual success is the planning of how our Town will be shaped in its future growth.

I am speaking of the importance of Place Making, the Neighborhoods.

We have a prime example of a new Place, the Markham Centre in Unionville, and it certainly is a centre, the very centre of Markham in fact.

Other New Places are being created continually, and Cornell comes readily to mind.

Also, we have the old Heritage Places that are our beginnings, more than 200 years ago.

Growth is inevitable, and we know infills will happen in the heritage areas as well as elsewhere. We know the BIG DOLLAR means, big as possible houses must be built, without much thought of the impact on the neighborhoods.

Right now, there are ideas for buildings with 5 or more stories, in the very heart of Unionville, even on our Heritage Main Street.

The time has come in our Town's Official Plans, to take control of our Town's development, to make stricter rules to preserve our heritage communities, to balance these future plans.

A sensible preservation plan would be to include the Pioneer Stiver Mill on Station Lane in Unionville as a distinct Place. It stands right next to the Restored Heritage Railway Station.

Station Lane is a poor little neglected Lane that can be made into a seriously important Heritage Landmark to anchor the south end of Unionville's Main Street, for tourists, and for the community to enjoy.

It would be fitting, as the Fred Varley Art Gallery nicely anchors the North end of the Heritage Commercial Area.

Unionville was an agricultural village, so Station Lane was the VERY HUB of 19th Century Unionville, with the Stiver Mill dealing with the farmers' grains along with the symbiotic railway activities.

It has earned the right to be upgraded and preserved for posterity.

After all, Unionville's Heritage Main Street IS York Region's second highest Tourist attraction, after Wonderland.

There is diversity for you in our so diversely populated town, for less than a kilometer away from our 19th century village, we have the huge 21st Century Markham Centre.

That is something to be proud of.

Lastly:

April 12, 2011

Town of Markham
Clerk's Department
101 Town Centre Boulevard
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

Re: Markham Official Plan Review
11175 Kennedy Road
Town of Markham



We represent Mahamevna Bhavana Asapuwa Toronto (Mahamevna), which currently resides at 11175 Kennedy Road, located on the east side of Kennedy Road, between Elgin Mills and 19th Avenue. The property has an area of 0.8 hectares (2.0 acres), and is surrounded by the Mandarin Golf Course and Camp Green Acres.

The property is occupied with a two-storey former farmhouse, together with a swimming pool, a series of out-buildings, driveways and parking areas, and grassed lawns. No part of the property is being used for agricultural purposes, nor has been for decades. The dwelling is zoned for Rural Residential uses.

The property is currently used for a place of residence for the Buddhist Monks of Mahamevna; however the congregation has future plans for expansion. To this end, preliminary discussions with Town planning staff have already taken place. It is the intention of Mahamevna to file the necessary Official Plan and Zoning By-law Amendments to the Town.

I note the following facts concerning the subject property:

- It is relatively small in size, being only 0.8 hectares in area, too small to require a justification for removal from a Agricultural designation under the current Town Official Plan;
- Currently is improved with a dwelling and associated structures;
- Is not, nor has been for a lengthy period of time, used for agricultural purposes;
- The small property is surrounded by Camp Green Acres, the Mandarin Golf Course, and Melville United Church, none of which are agricultural operations;
- Is already zoned for residential purposes.

Mahamevna wishes Markham Council to remember that their site has a different context from perhaps other sites outside the urban boundary. Any "blanket policy" across the entire Future Urban Area may not be appropriate for a smaller parcel such as Mahamevna, which has a different planning context.



Augusta National Inc., Queens 400 Executive Offices, 178 Main Street, Unionville, Ontario L3R 2G9
Telephone: (905) 944-9709 Fax: (905) 944-9710 Cellular: (416) 464-0145 E-Mail: everard@rogers.com

April 13, 2011.

Mr. Tim Lambe, RPP.,
Manager, Policy & Research,
Planning and Urban Design Department,
The Corporation of the Town of Markham.

Dear Mr. Lambe:

Re: Section 26, The Planning Act,
Special Meeting of Town Council,
Part of Lot 31, Concession 4, Town of Markham (98.83 acres)

Please be advised, that the urban planning consulting firm, Augusta National Inc., acts on behalf of Catholic Cemeteries Archdiocese of Toronto ('CCAT'), registered owners of the subject lands. The property is located at the northeast corner of Woodbine Avenue / 19th Avenue.

Further to our attendance at the Public Meeting on April 13, 2011, concerning Markham's New Official Plan, please be advised, that 'CCAT' objects to the proposed land use designation as 'Employment Area'.

'CCAT' acquired the property on August 15, 1997, to facilitate the development of a cemetery that will satisfy the future essential community needs of the Roman Catholic population of the Town of Markham. Save and except for those lands designated as 'Greenway System', we require an 'Institutional' designation on the balance of the site to permit the development of a cemetery.

To this end, we request that an additional 100+/- acres of 'Employment' lands be so designated to offset the 'Institutional' lands required by 'CCAT'.

Thank you for your consideration in this matter.

Yours truly,

Mike Everard, M.Sc., RPP.,
Principal.

Copy: Mr. R. Hayes, 'CCAT'.

Lambe, Tim

From: Ken Lee [KenLee@rogers.com]
Sent: April 27, 2011 7:41 PM
To: Carroll, Judy
Cc: Lambe, Tim
Attachments: GCG Church let to Town & Region.pdf; PGC letter to Region June 2010 rev.pdf; APPEAL_LETTER_YORK_ROPA 3 FINAL OCT 15 10.pdf; Ack and receipt from Region Oct 20 10.pdf

Hi Ms. Carroll,

I attended the Markham Official Plan Special Meeting of Council on April 12, 2011 and met Mr. Tim Lambe there. Mr. Lambe told me that I could send you our written submission after the Special Meeting. Please regard this as our official written submission for the Markham Official Plan process.

Dear Mayor and Members of Council,

In the last twenty years, the Grace Chinese Gospel Church (GCGC) has been serving the community of Toronto in running nursery school, summer camp, after school programs, EQ programs, youth and senior programs at North York location. We also get the financial support from the federal, provincial and municipal governments to serve the community. We started the Peoples Gospel Church (PGC) in 2005 serving the community of Markham. In 2007, we acquired a tract of land at 5172 Major Mackenzie Drive (at the north-west corner of Major Mackenzie and McCowan Avenue) as the permanent building site for PGC to expand our service to the growing community.

The subject property is immediately east of the proposed expanded 'Urban Area' along Major Mackenzie Drive East, which follows the western edge of the valley corridor associated with Robinson Creek. We have worked closely with Councillor Moretti and got her support in helping us build a church at the property. Our members had sent letters to and met with Markham City Councillors and urged them to include our land into the Markham Official Plan.

We were disappointed that the amendment to the Regional Official Plan (ROPA 3) had not included our land in the urban boundary. We have submitted an appeal to the Ontario Municipal Board (OMB) and requested to include our land inside the urban boundary. We understand the City of Markham Planning Department proposed the urban boundary based on land budget. However, we hope that the City could also consider the public opinion and the needs of the Markham community. We sincerely ask the Markham Council to include our land in the urban area expansion of the new official plan so that we could build a church at the site to serve the community.

For your reference, I have attached the letters we sent to Markham Planning Director, York Region Planning Department, and the OMB Appeal and acknowledgement.

Thank you for your consideration.

Sincerely,

Ken Lee
Chairman, PGC Building Committee
Grace Chinese Gospel Church



Gatzios Planning + Development Consultants Inc.

File No: 65MA-1011

April 11, 2010

Ms. Valerie Shuttleworth, Director of Planning & Urban Design
Development Services Commission

Town of Markham

101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

and to:

Ms. Barbara Jeffrey, Manager Land Use Policy & Environment
Planning and Development Services Department

Region of York

17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

**Regarding: GRACE CHINESE GOSPEL CHURCH OF NORTH YORK PROPERTY
PROPOSED NEW 'PEOPLES GOSPEL CHURCH' CHURCH FACILITY
5172 MAJOR MACKENZIE DRIVE EAST, WEST OF McCOWAN ROAD
(NORTH SIDE OF MAJOR MACKENZIE DRIVE EAST)
TOWN OF MARKHAM**

Dear Ms. Shuttleworth and Ms. Jeffrey:

I am writing on behalf of the landowner, the Grace Chinese Gospel Church of North York (the "Church") as planning consultant for their property at the above-noted address in the Town of Markham.

The Church's intention is to obtain the appropriate land use designation/s to permit a new church facility on this property. To this end, our request to both the Town and the Region at this point in time is to include this property in an Urban Area expansion for specifically Institutional land uses.

SITE DESCRIPTION

The site is approximately 13 acres with frontage on the north side of Major Mackenzie, west of McCowan Road, and contains environmental features associated with Robinson Creek which sits at the property's western edge. An Airphoto location map is attached for reference.

report illustrates the location that is currently being contemplated for this community growth in the Town.

We understand that the amount of land area being estimated for 'Community Lands' includes not only residential land uses, but also associated land uses such as Institutional lands to be used for churches and associated facilities, and that it is intended that when the appropriate Official Plan Amendment/s to the Town Official Plan are brought forward, the Community Lands will be detailed with a variety of land use designations, potentially including churches, institutional or places of worship, among others.

As you can appreciate, given the demand for residential development in the current Urban Area in the Town of Markham, and given that new places of worship are not at this time pre-identified or pre-zoned, it is often difficult for Church organizations to actually locate, obtain and indeed afford a parcel otherwise destined for residential development in order to accommodate a new church and related facilities.

Inclusion of this property in an Urban Area expansion would afford the opportunity for a new church and associated facilities to be established on this site, subject of course to the additional reports, applications and planning approvals that would be necessary in order to proceed to development. Given the location of the site on an arterial road, beside the Robinson Creek which would form a natural edge and setting to the Institutional uses, adjacent to the potential new residential development that may take place west of the valleylands, and also of course immediately north of the current urban development in Markham, this site could represent an excellent location for a new church and related facilities.

We are hopeful that the Region and the Town will consider this request for inclusion for a new Institutional facility, and will facilitate the development by including these lands in any future Urban Area expansion. The Church is aware that they may file their own OPA's to the Town and to the Region in order to pursue the appropriate land use designations independent of the current growth management exercise currently underway, however it is our hope that working with the Region and the Town through these current municipal processes would be the most advantageous for the Church, the Town and the Region.

We would be pleased to discuss any aspect of this submission with you, and will be contacting each of your offices shortly to set up a meeting to investigate opportunities for inclusion of this site in an urban land use designation.

In the meantime, would you kindly ensure that we are provided with notification of any Regional or Town meetings, reports or consultations regarding potential urban area expansions or places of worship or related matters.



Gatzios Planning + Development Consultants Inc.

June 16, 2010

File No: 65MA-1011

Ms. Barbara Jeffrey, Manager Land Use Policy & Environment
Planning and Development Services Department
Region of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

**Regarding: YORK REGION ROPA 3 – MARKHAM URBAN BOUNDARY EXPANSION
GRACE CHINESE GOSPEL CHURCH OF NORTH YORK PROPERTY
PROPOSED NEW 'PEOPLES GOSPEL CHURCH' CHURCH FACILITY
5172 MAJOR MACKENZIE DRIVE EAST, WEST OF McCOWAN ROAD
(NORTH SIDE OF MAJOR MACKENZIE DRIVE EAST)
TOWN OF MARKHAM**

Dear Ms. Jeffrey:

As you may be aware, we are the planning consultant for the Grace Chinese Gospel Church of North York (the "Church"), the owners of the above captioned lands in the Town of Markham.

Further to our letter dated April 11, 2010, we have reviewed the draft amendment to the Regional Official Plan (ROPA 3) re the proposed Town of Markham urban boundary expansion and offer the following comments.

The Region's staff report dated June 16, 2010 states that Markham Council adopted the recommended growth alternative to 2031 on May 11, 2010. However, we understand that the size and location of the Town's proposed urban boundary expansion was only adopted by Markham Council as a strategy direction to staff, and did not establish actually confirm a specific urban expansion location or details.

We understand from Markham staff that the Town's Official Plan Review process is ongoing and it is their intention to identify the urban expansion area after additional public consultation and when their new Official Plan is finalized and adopted. Based on this, it is our opinion that the exact size and location of ROPA 3 should await the Town's Official Plan process.

RICHARD R. ARBLASTER

BARRISTER & SOLICITOR

OF THE ONTARIO BAR and also a Solicitor (non-practising) of England & Wales

Suite 200
7100 Woodbine Avenue
Markham, Ontario
L3R 5J2
Tel: 416-410-8298
Fax: 416-410-8298
Email: rick@arblasterlaw.com
Web: www.arblasterlaw.com

DELIVERED

October 15, 2010

The Regional Municipality of York
17250 Yonge Street
4th Floor
Newmarket, ON
L3Y 6Z1

Attention: Denis Kelly, Regional Clerk

**Re: Regional Municipality of York Official Plan Amendment No. 3
Appeal under Section 17 (24) of the Planning Act
Grace Chinese Gospel Church of North York**

I am the lawyer for Grace Chinese Gospel Church of North York, the owner of 12.85 +/- acres of land in the Town of Markham located on the north side of Major Mackenzie Drive East, approximately 550 feet west of McCowan Road, municipally known as 5172 Major Mackenzie Drive East (the 'subject lands'). The boundaries of the subject lands are shown outlined in black on the attached Appendix 1.

The purpose of this letter is to lodge Grace Chinese Gospel Church of North York's appeal to Regional Official Plan Amendment No. 3 (ROPA 3).

The Grace Chinese Gospel Church of North York (the 'Church') is a member of the Associated Gospel Churches (AGC) representing over 140 churches, congregations and ministries in Canada. The Church has twenty years of history partnering with municipal, provincial and federal governments in providing services to the community, in addition to the fundamental religious services, such as nursery schools, ESL classes, student enrichment and youth leadership programs, summer camp, coordination and partnering with Hong Fook Mental Health Centre, seniors home visiting programs, and EQ parenting courses.

In 2005, the Church started the Peoples Gospel Church (PGC) in Markham to meet the wide range of needs in this growing community, and currently rents space in the Bur Oak Secondary School (near Major Mackenzie Drive and McCowan Road). In the last five years, the number of Markham residents accessing the Church and its services has quickly grown and the rented school space can no longer support the growing needs of this rapidly expanding church community.

Enclosed is a bank draft in the amount of \$125.00 in payment of the appeal fee prescribed by O. Reg. 888, payable to the Minister of Finance of Ontario, and a cheque in the amount of \$455.00 in payment of the Regions 'record preparation' fee. The latter payment is made under protest as it is not considered to be an authorized charge under the Planning Act.

Yours Very Truly,

Richard R. Arblaster

Copy to: Grace Chinese Gospel Church of North York
Gatzios Planning + Development Consultants Inc.



Gatzios Planning + Development Consultants Inc.

April 11, 2010

File No: 65MA-1011

Ms. Valerie Shuttleworth, Director of Planning & Urban Design
Development Services Commission

Town of Markham

101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

and to:

Ms. Barbara Jeffrey, Manager Land Use Policy & Environment
Planning and Development Services Department

Region of York

17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

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PROPOSED NEW 'PEOPLES GOSPEL CHURCH' CHURCH FACILITY
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(NORTH SIDE OF MAJOR MACKENZIE DRIVE EAST)
TOWN OF MARKHAM**

Dear Ms. Shuttleworth and Ms. Jeffrey:

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The Church's intention is to obtain the appropriate land use designation/s to permit a new church facility on this property. To this end, our request to both the Town and the Region at this point in time is to include this property in an Urban Area expansion for specifically Institutional land uses.

SITE DESCRIPTION

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We understand that the amount of land area being estimated for 'Community Lands' includes not only residential land uses, but also associated land uses such as Institutional lands to be used for churches and associated facilities, and that it is intended that when the appropriate Official Plan Amendment/s to the Town Official Plan are brought forward, the Community Lands will be detailed with a variety of land use designations, potentially including churches, institutional or places of worship, among others.

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We would be pleased to discuss any aspect of this submission with you, and will be contacting each of your offices shortly to set up a meeting to investigate opportunities for inclusion of this site in an urban land use designation.

In the meantime, would you kindly ensure that we are provided with notification of any Regional or Town meetings, reports or consultations regarding potential urban area expansions or places of worship or related matters.

Received June 16, 2010

Gatzios Planning + Development Consultants Inc.

June 16, 2010

File No: 65MA-1011

Ms. Barbara Jeffrey, Manager Land Use Policy & Environment
Planning and Development Services Department
Region of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

**Regarding: YORK REGION ROPA 3 – MARKHAM URBAN BOUNDARY EXPANSION
GRACE CHINESE GOSPEL CHURCH OF NORTH YORK PROPERTY
PROPOSED NEW 'PEOPLES GOSPEL CHURCH' CHURCH FACILITY
5172 MAJOR MACKENZIE DRIVE EAST, WEST OF McCOWAN ROAD
(NORTH SIDE OF MAJOR MACKENZIE DRIVE EAST)
TOWN OF MARKHAM**

Dear Ms. Jeffrey:

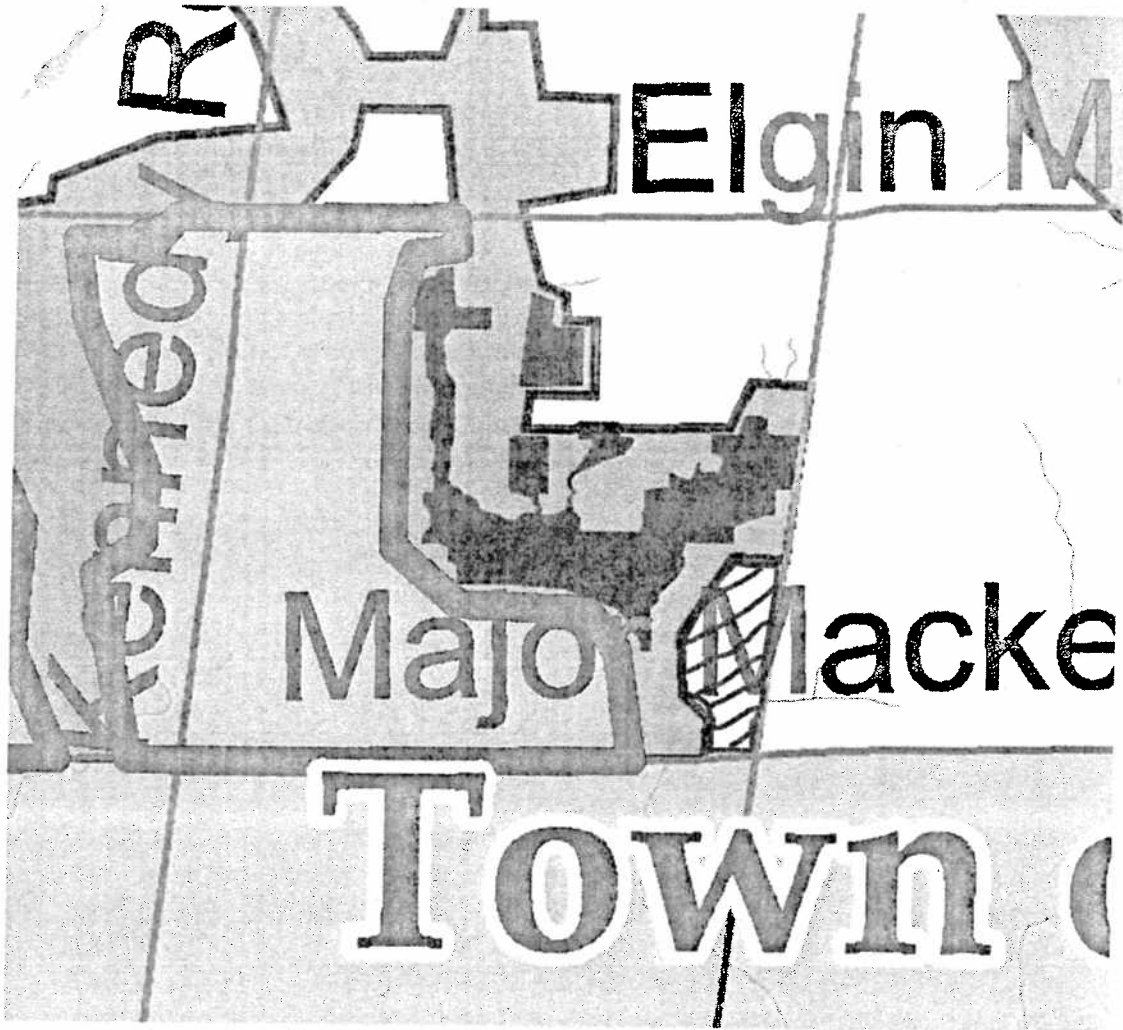
As you may be aware, we are the planning consultant for the Grace Chinese Gospel Church of North York (the "Church"), the owners of the above captioned lands in the Town of Markham.

Further to our letter dated April 11, 2010, we have reviewed the draft amendment to the Regional Official Plan (ROPA 3) re the proposed Town of Markham urban boundary expansion and offer the following comments.

The Region's staff report dated June 16, 2010 states that Markham Council adopted the recommended growth alternative to 2031 on May 11, 2010. However, we understand that the size and location of the Town's proposed urban boundary expansion was only adopted by Markham Council as a strategy direction to staff, and did not establish actually confirm a specific urban expansion location or details.

We understand from Markham staff that the Town's Official Plan Review process is ongoing and it is their intention to identify the urban expansion area after additional public consultation and when their new Official Plan is finalized and adopted. Based on this, it is our opinion that the exact size and location of ROPA 3 should await the Town's Official Plan process.

APPENDIX 4
AREA SUBJECT TO APPEAL
ON FIGURES 1 TO 9 OF ROPA NO. 3





Planning and Development Services Department
Long Range and Strategic Planning Branch

October 20, 2010

Re: Appeal of Regional Official Plan Amendment 3: Town of Markham Urban Expansion
Submission Number: D05.2009.003.1.014
Richard R. Arblaster Barrister & Solicitor (on behalf of Grace Chinese Gospel Church of North York)

Dear Mr. Richard Arblaster:

We have received your appeal letter dated October 15, 2010 regarding Amendment 3 to the York Region Official Plan – December 2009, for an urban expansion in the Town of Markham. Also received were a cheque in the amount of \$125 for the OMB fees and a cheque in the amount of \$455 to cover the Region of York processing fees. Your receipt for the Region of York processing fees is attached.

The last date for appeal of this Amendment is October 18, 2010, after which the record will be forwarded to the Ontario Municipal Board as required by the *Planning Act*.

Should you have any questions, please call Barbara Jeffrey, Manager of Land Use Policy and Environment (905-830-4444 x1526; barbara.jeffrey@york.ca) or Trish Elliott, Planner, (905-830-4444 x 1528; trish.elliott@york.ca).

Sincerely,

A handwritten signature in black ink that reads 'JB Waller'.

John B. Waller, MCIP, RPP
Director of Long Range and Strategic Planning

2011.05.09

DEVELOPMENT SERVICES

4077 Hwy #7
Toronto, Ontario M3K 1G5
416-963-5016

Victor N. Lind MCIP, RPP
Principal

DEVELOPMENT

SERVICES

MAY 10 2011

REC

ED

Kimberley Kitteringham, Town Clerk
Town of Markham
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

Dear Ms. Kitteringham,

May 9, 2011

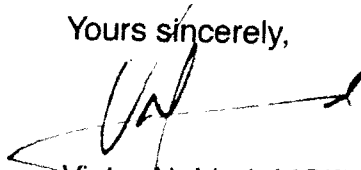
Re : Town of Markham Official Plan Process

I am writing to advise that I represent Sheridan Nurseries Limited at 4077 Hwy #7 and we are interested in the Official Plan process as it relates to our garden centre.

We have made numerous representations over the years regarding the upgrading, site plan and redevelopment possibilities of this property. We recently met with planning staff regarding a pre-consultation on a potential re-zoning.

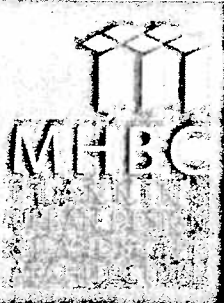
Would you please ensure that we are added to the mailing list for any upcoming public meetings and or consultations with staff or Council.

Yours sincerely,


Victor N. Lind MCIP, RPP

cc. Tim Lambe, Manager of Policy and Research Division
Town of Markham

Rick Friesen, Sheridan Nurseries Limited



May 19, 2011

Tim Lambe
Manager, Policy & Research
Town of Markham
101 Town Centre Blvd.
Markham, ON L3R 9W3

Dear Mr. Lambe;

RE: TOWN OF MARKHAM OFFICIAL PLAN REVIEW
KAU & ASSOCIATES L.P (1045064 Ontario Limited).
71 COCHRANE DRIVE, MARKHAM
MHBC FILE: 07163F

We have been retained by Kau & Associates L.P., owner of lands located at 71 Cochrane Drive in the Town of Markham, to provide planning services relative to the Town of Markham's Official Plan Review program. We attended the April 12th special meeting of Town Council and we are pleased to see the Town is moving forward with new Official Plan policies.

At this time, draft policies and mapping have not yet been developed by the Town, so the direction of the Official Plan Review is only visible within the Town's endorsed Growth Management. We feel that this early stage is a good opportunity to discuss the future of our client's site within the future Official Plan.

The site is located at 71 Cochrane Drive and is being used for retail warehouse uses and restaurant uses. The site is currently designated 'Commercial' in the Land Use Schedule and Retail Warehouse within the commercial/industrial structure. The site is also subject to Planning District 13-2 (Brown's Corners) which forms part of a 'non-statutory' Secondary Plan. The Official Plan permits medium to large format retail stores and large scale 'themed' retail development. Specifically, lands within the Commercial (Retail Warehouse Area) may be zoned to permit the following uses subject to the provisions of the Official Plan:

- Retail uses with individual premises generally not less than 300 square metres of gross floor area;
- Service uses;
- Offices;
- Banks and financial institutions;
- Light industrial uses;
- Retail uses accessory and incidental to permitted light industrial uses;
- Restaurants;
- Banquet halls;
- Night clubs;
- Trade and convention centres;
- Hotels and motels;
- Sports, health and fitness recreational uses;
- Entertainment uses consistent with the planned function and policies of the designation;
- Institutional uses (excluding places of worship);
- Day care centres; and
- Private and commercial schools.

Additional uses may be approved in this designation subject to a site-specific development proposal and rezoning, as outlined in Section 3.4.6.6 c) ii) of the Official Plan. This includes a mixed-use centre combining multiple-unit retail development containing individual retail premises of less than 300 square metres gross floor area with other permitted uses, subject to the following criteria:

- The centre shall generally be a multi-storey building;
- The centre shall generally be located on a site adjoining an intersection with an arterial or collector road; and
- The total gross floor area devoted to retail uses shall generally not exceed the total gross floor area devoted to other permitted uses.

Other uses permitted by Section 3.4.6.6 c) ii) include:

- Retail uses involving accessory outdoor storage and/or display of merchandise;
- Commercial 'self-storage' warehouses;
- Automobile service stations;
- Car washes;
- Automobile repair uses (excluding autobody paint and repair);
- Funeral homes; and
- Places of worship.

It is our interpretation that the above-noted permitted uses supersede those in the Industrial-Commercial designation found in PD 13-2 (Brown's Corners), which is a non-statutory Secondary Plan.

We respectfully request that the uses permitted above in the Commercial (Retail Warehouse Area) designation be maintained on the site through the Official Plan Review process. We also request that any new use permissions contemplated for other commercial sites in the area be added to the above list, at the Town's discretion.

We will continue to monitor the Official Plan Review process, and provide further comment once draft policies become available. In the meantime, we request we be placed on the notification list for any future public meetings or document releases related to the Official Plan Review.

If you have any questions, please do not hesitate to call.

Thank you,

Yours truly,

MHBC



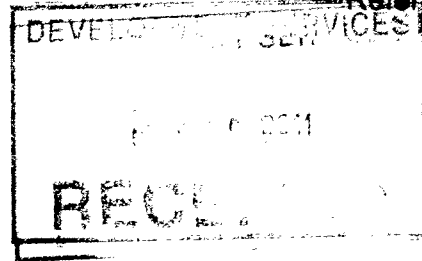
David A. McKay, MSc, MCIP, RPP

cc: Alexandra Kau

Reference: 106

MAY - 3 2011

T.J Lambe, M.C.I.P., R.P.P.
Manager, Policy and Research Division
Planning and Urban Design Department
101 Town Centre Boulevard
Markham, ON L3R 9W3



Re: Town of Markham New Official Plan

Dear Mr. Lambe:

Thank you for your inquiry dated February 16, 2011 regarding the above-noted project.

As a member of the government review team, the Ministry of Aboriginal Affairs (MAA) identifies First Nation and Métis communities who may have the following interests in the area of your project:

- reserves;
- land claims or claims in litigation against Ontario;
- existing or asserted Aboriginal or treaty rights, such as harvesting rights; or
- an interest in your project's potential environmental impacts.

MAA is not the approval or regulatory authority for your project, and receives very limited information about projects in the early stages of their development. In circumstances where a Crown-approved project may negatively impact a claimed Aboriginal or treaty right, the Crown may have a duty to consult the Aboriginal community advancing the claim. The Crown often delegates procedural aspects of its duty to consult to proponents. Please note that the information in this letter should not be relied on as advice about whether the Crown owes a duty to consult in respect of your project, or what consultation may be appropriate. Should you have any questions about your consultation obligations, please contact the appropriate ministry.

You should be aware that many First Nations and Métis communities either have or assert rights to hunt and fish in their traditional territories. For First Nations, these territories typically include lands and waters outside of their reserves.

In some instances, project work may impact aboriginal archaeological resources. If any Aboriginal archaeological resources could be impacted by your project, you should contact your regulating or approving Ministry to inquire about whether any additional Aboriginal communities should be contacted. Aboriginal communities with an interest in archaeological resources may include communities who are not presently located in the vicinity of the proposed project.

With respect to your project, and based on the brief materials you have provided, we can advise that the project appears to be located in an area where First Nations may have existing or asserted rights or claims in MAA's land claims process or litigation, that could be impacted by your project. Contact information is below:

<p>Alderville First Nation 11696 Second Line P.O. Box 46 ROSENEATH, Ontario K0K 2X0</p>	<p>Chief James R. Marsden (905) 352-2011 (Fax) 352-3242 jbmarsden@eagle.ca</p>
<p>Curve Lake First Nation 22 Winookeeda Road CURVE LAKE, Ontario K0L 1R0</p>	<p>Chief Keith Knott (705) 657-8045 (Fax) 657-8708 chief@curvelakefn.com executivesecretary@curvelake.com</p>
<p>Hiawatha First Nation 123 Paudash Street R.R. #2 KEENE, Ontario K0L 2G0</p>	<p>Chief Laurie Carr (705) 295-4421 (Fax) 295-4424 lcarr@hiawathafn.ca</p>
<p>Mississaugas of Scugog Island 22521 Island Road PORT PERRY, Ontario L9L 1B6</p>	<p>Chief Tracy Gauthier (905) 985-3337 (Fax) 985-8828 Tgauthier@scugogfirstnation.com</p>
<p>Kawartha Nishnawbe First Nation P.O. Box 1432 Lakefield, ON K0L 2H0</p>	<p>Chief Kris Nahrgang (705) 654-4661</p>
<p>Mississaugas of the New Credit First Nation 2789 Mississauga Rd., R.R. #6 HAGERSVILLE, Ontario NOA 1H0</p>	<p>Chief Bryan LaForme (905) 768-1133 (Fax) 768-1225 bryanlaforme@newcreditfirstnation.com</p>

The Government of Canada sometimes receives claims that Ontario does not receive, or with which Ontario does not become involved. For information about possible claims in the area, MAA recommends you contact the following federal contacts:

<p>Ms. Janet Townson Claims Analyst, Ontario Team Specific Claims Branch Indian and Northern Affairs Canada 1310-10 Wellington St. Gatineau, QC K1A 0H4 Tel: (819) 953-4667 Fax: (819) 997-9873</p>	<p>Mr. Sean Darcy Manager Assessment and Historical Research Indian and Northern Affairs Canada 10 Wellington St. Gatineau, QC K1A 0H4 Tel: (819) 997-8155 Fax: (819) 997-1366</p>
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For federal information on litigation contact:

Mr. Marc-André Millaire
Litigation Team Leader for Ontario
Litigation Management and Resolutions Branch
Indian and Northern Affairs Canada
10 Wellington St.
Gatineau, QC K1A 0H4
Tel: (819) 994-1947
Fax: (819) 953-1139

Additional details about your project or changes to it that suggest impacts beyond what you have provided to date may necessitate further consideration of which Aboriginal communities may be affected by or interested in your undertaking. If you think that further consideration may be required, please bring your inquiry to whatever government body oversees the regulatory process for your project.

The information upon which the above comments are based is subject to change. First Nation or Métis communities can make claims at any time, and other developments can occur that could result in additional communities being affected by or interested in your undertaking.

Yours truly,



Heather Levecque
Manager, Consultation Unit
Aboriginal Relations and Ministry Partnerships Division