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November 23, 2009
File 5-002

Mr. Denis Kelly, Regional Clerk
The Regional Municipality of York
17250 Yonge St.,
Newmarket, Ontario, L3Y 6Z1

Dear Sir;

**Re Proposed York Region Official Plan
June 2009 Draft; Notice of Interest and
Request for Notice of all Further Meetings,
Public Deliberations and Notice of Decision**

We have been retained by 110 Inverlochy Boulevard Limited and Briarlane Rental Property Management with respect to proposed residential intensification on a vacant parcel of land located at the south west corner of Inverlochy Blvd. and Bay Thorn Dr., Markham. The property in question is just around the corner from the proposed northerly entrance to the Yonge St. Royal Orchard subway station (less than 300 yards). Our clients own and manage two other apartment buildings, one adjacent to the site (13 stories) and the other immediately across the street (14+ stories) on Inverlochy Blvd. The existing rental apartment buildings include "affordable housing units".

We have reviewed your proposed new Official Plan (June 2009) and, subject to further clarification, have identified a number of concerns which we would like to address with the appropriate planning officials or with Council prior to adoption of the new Plan; these include:

- i) The definition, exact location, and implications of a "Regional Centre and Corridor" designation.
- ii) The flexibility to be given to local municipalities in interpreting or locating corridor designations.

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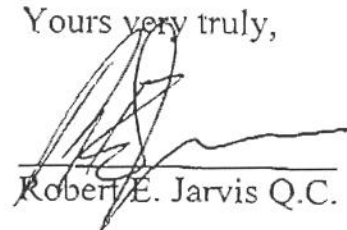
- iii) The importance of 'intensification' and what latitude will local municipalities be given particularly where proposed 'intensification' is adjacent to a proposed subway station.
- iv) Where intensification on an undeveloped portion of a site or block is proposed will the proposal be considered on its own merits in calculating "minimum density" consistent with an F.S.I. of either 3.5 or 2.5?
- v) What does "minimum densities" mean given that the Region also states "key development areas be established within secondary plans, consistent with:..."
 - b) a 2.5 floor space index per development block, at,...". [5.4,(33)]
- vi) Why does development at the Yonge Steeles subway station have a 3.5 F.S.I. as opposed to other equally important subway stations (and do the provisions for "minimum densities" clearly allow for additional F.S.I. in appropriate circumstances).
- vii) The meaning and definition of affordable housing, and whether existing affordable housing in a development block will be counted or is one area or block to be overloaded with affordable housing and, if so, why; and would this be in the public interest?
- viii) The definition of or rules for defining development blocks and what latitude will local municipalities be given in setting or redefining what constitutes a development block.
- ix) Why are local municipalities, who must bring their local Official Plans and Secondary Plans into compliance with the Regional Plan, given so much latitude in fixing corridor areas, densities, areas of intensification, strategies to implement affordable housing, etc.
- x) The definition of affordable housing is based on a model now out of date and does not address the differing life styles of either owners or renters at all income levels.
- xi) Why are newcomers to York Region to bear the major portion of the costs of affordable housing when affordable housing is a societal problem and the cost of addressing this long standing problem should be borne by all taxpayers.

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- xii) And a number of other issues which we believe should be addressed prior to adoption of the new Official Plan.

We look forward to being given an opportunity to address the above issues prior to the Draft Official Plan being forwarded to Council. We are also requesting that we be given Notice of all future meetings regarding this matter and Notice of Decision when this matter is dealt with by Council.

Yours very truly,



Robert E. Jarvis Q.C.

- cc. Mr. Bryan Tuckey, Commissioner of Planning and Development Services
- cc. Ms. Barb Jeffrey, Manger of Land Use Policy & Environment
- cc. Mr. Ben Quan, Planning Consultant
- cc. Brad W. Smith, Briarlane Rental Property Management