

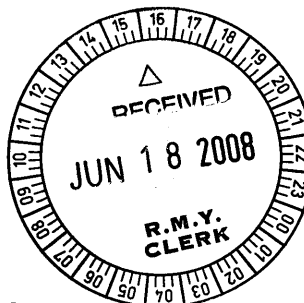
Lindvest**REGION OF YORK
CLERK'S OFFICE**

June 17, 2008

FILE No. - *po 3*

Delivered via fax and email

Corporate Services Department
York Region Administration Building
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1
Fax :905-895-3031

**Attention: Mr. Denis Kelly, Regional Clerk**

Re: **Cornell Secondary Plan, Town of Markham
Official Plan Amendment No. 168**

Dear Mr. Kelly,

We understand that Council will be considering the approval of the Cornell Secondary plan on June 19, 2008. We have had an opportunity to review the document and have some concerns. Lindvest Properties (Cornell) Limited has been developing the lands between 9th Line Avenue to the west, Donald Cousins Parkway to the east, Avenue 7 to the north and Highway 407 to the south since 2003.

By way of background, Lindvest and the York Region Transit (YRT) have been in discussion respecting the development of a transit terminal on our lands for over 2 years. Compensation for the value of the land, density and or air rights above the terminal site has been a significant component of those discussions. However, to date, no resolutions have been reached in this regard. The proposed language within the secondary plan currently states;

"Lands for the regional transit terminal will be secured by the Region of York. The Region of York may require the dedication of the lands for the regional transit terminal as a condition of Section 51 of the Planning Act, R.S.O. 1990, as amended, plan of subdivision approval".

This provision as it is currently worded does not adequately address our concerns and does not reflect our discussions with the YRT. We further believe the language restricts our ability to negotiate fair and equitable terms with YRT that would allow us to develop in a manner which satisfies the intensification policies of the Town, Region and Province.

We would like the language of the Secondary Plan to be amended to ensure the discussions associated with the value of the lands, density and or air rights can continue to occur in a meaningful way.

While we appreciate council is considering the whole of the amendment, we ask that council either (1) defer the approval of the entire Secondary Plan or alternatively (2), defer section 8.2.8.3 and any other relevant language pertaining to the York Region Terminal Site until such time as revised language respecting the transit terminal has been prepared and addresses our concerns.

We are prepared to work with the Town of Markham and the YRT to bring a resolution to this matter such that the Secondary Plan could be brought forward to the next scheduled council meeting.

Sincerely,

LINVDEST PROPERTIES (CORNELL) LIMITED

Per:



Michael Savas
Project Manager

Cc: David Clark, York Region Rapid Transit
Marg Wouters, Town of Markham
Val Shuttleworth, Town of Markham