

AIRD & BERLIS LLP

Barristers and Solicitors

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May 9, 2006

File No. 84604

VIA FACSIMILE

Planning and Economic Development Committee
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Chair and Members of Committee:

**Re: Planning and Economic Development Committee Meeting – May 10, 2006
Report of the Commissioner of Planning and Development Services
Town of Markham Official Plan Amendment No. 140 Rouge North
Management Area/Greenbelt Addendum Report**

I write further to my letter to your Committee of April 5, 2006 and with respect to the above-captioned report to be considered by your Committee on May 10, 2006.

I understand that the Committee specifically referred this item back to Regional Staff to address the letters received prior to the last Committee meeting. I further understand that Staff have met with one party who wrote to your Committee - the Rouge Park Alliance - but did not attempt to meet with our client or the two other landowners who expressed concern regarding the proposed amendment. I had offered to your Staff to meet and discuss our client's concerns prior to this meeting. Additionally, we have been on the record with the Region since the time of the adoption of OPA 140 by the Town of Markham. It is very disappointing that our client has not been afforded the opportunity to specifically outline its concerns with the proposed amendment.

The Staff report indicates that your Staff chose instead to meet with Markham Staff to obtain Markham's view of our client's concerns. This is very unfortunate, as Markham Staff have not met with our clients to discuss their specific concerns with OPA 140.

It is also not clear what advice was provided to your Staff by Markham regarding a confidential mediation that took place regarding appeals of OPA 116, a different Official Plan Amendment than the one before you. We again confirm that since the time of the enactment of the Greenbelt Act and Greenbelt Plan, and the proposed repeal of OPA 116 and enactment of OPA 140, we have not been consulted by Town of Markham Staff. The reference to extensive consultation with affected landowners in the Staff report before you is therefore not accurate.

In light of the foregoing, we remain very concerned that the opportunity to discuss our client's concerns with OPA 140, and its relationship to the Greenbelt Act and Plan, has not been provided. We do not believe that the amendment conforms with the Greenbelt Plan

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or the Rouge Park Management Plan which it is proposed to implement. We would be pleased to provide our concerns to your Staff should Committee agree that the most appropriate, and fair, manner of proceeding is to direct your Staff to actually consult with our client prior to making a recommendation to you regarding this amendment.

Yours very truly,

AIRD & BERLIS LLP

per: [Signature]
Patricia A. Foran

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