

May 9, 2006

By Fax

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

Dear Mr. Kelly:

**RE: Planning and Economic Development Committee Meeting – May 10, 2006
Report respecting Town of Markham Official Plan Amendment No. 140
Rouge North Management Area**

We are the solicitors for a number of private landowners (see attached list) in the area covered by OPA 140. We are on record with the Town of Markham respecting OPA 140 and OPA 116 (and its repeal). Our clients are also appellants to OPA 116.

We wrote to the Region on April 6, 2006 asking that OPA 140 not be approved and instead be referred back to staff to allow for consultation with our client (and other appellants). While we were pleased that the Planning and Economic Development Committee did refer that matter back to staff for further consultation, we were extremely disappointed to learn that we (nor it appears any of the appellants) were not consulted during this deferral. Markham appears to have been further consulted and perhaps also the Rouge Park Alliance (who were not appellants to OPA 116), but the landowners most affected by the amendment, being our client and the other appellants, were not consulted.

It is much preferred if our client was provided the opportunity to discuss our concerns directly with Regional staff rather than have them explained by staff from the Town of Markham. We believe that we can best explain our clients concerns and we welcome the opportunity to do so.

In light of the Greenbelt Plan, the proposed Growth Plan, the conformity exercises that Markham and the Region will have to undertake for both, and the work that the Region will have to undertake to accommodate the new growth allocated to it, we believe that the landscape has changed since OPA 116 was adopted and OPA 140 was approved and that, accordingly, adequate consideration should be given to the landowners' position.

We look forward to the opportunity to meet with your staff to discuss this further and seek a mutually agreeable solution.

Yours very truly,



Ira T. Kagan

cc. Clients (as per the attached list)
Patricia Foran
Randy Smith

List of Landowners/Clients

NAME	AREA	LOCATION
Kennedy Elgin Developments Limited	120ac	Part of Lots 28 & 29, Conc.5 Markham
Warden Mills Developments Limited	98ac	Part of Lot 29, Conc.4, Markham
Major Kennedy Developments Limited	158ac	Part of Lot 22, Conc.6, Markham
1212763 Ontario Limited	92ac	Part of Lots 22 & 23, Conc.4, Markham
E.M.K. Construction LTD. & Treelawn Construction LTD.	110ac	Part of Lot 24, Conc.4, Markham
MacKenzie 48 Investments Limited	51ac	Part of Lot 24, Conc.7, Markham