

AIRD & BERLIS LLP

Barristers and Solicitors

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May 19, 2010

VIA EMAIL: Larry.Clay@ontario.ca

Larry Clay, Regional Director
Central Municipal Services Office
Ministry of Municipal Affairs and Housing
777 Bay Street, 2nd Floor
Toronto, ON M5G 2E5

Dear Mr. Clay:

Re: Proposed Regional Modifications - Region of York Official Plan

We act on behalf of 11160 Woodbine Avenue Limited ("11160 Woodbine") which owns 20 hectares (50 acres) of property located north of Elgin Mills Road between Woodbine Avenue and Highway 404 immediately south of the recently constructed Honda head office and within the Highway 404 North Planning District Secondary Plan (OPA 149) (the "Subject Lands"). Our client was instrumental in attracting Honda Canada Inc. to the business park, and constructed, secured or funded the required Municipal and Regional road and servicing infrastructure. 11160 Woodbine is interested in developing the subject lands for additional employment uses. We also act for Rice Commercial Group and other related entities who own property throughout York Region.

Our client and its related entities have been monitoring the progress of the York Region Official Plan and provided written submissions prior to its adoption. We have recently advised our client that York Region has proposed modifications which have the potential to significantly and adversely affect our client's properties. In particular, the Region now proposes to modify Map 12 to add a series of mid-block flyovers over Highway 404. These flyovers have not been justified through the Environmental Assessment process and should not be included in the York Region OP. Furthermore, we have learned that the Region now proposes a transportation feasibility study and a class environmental assessment, to assess these flyovers, to be completed by the end of 2011. This represents significant ongoing delay that is unfair, unreasonable and unacceptable.

Our client is most particularly affected by the flyovers located between Herald Road and Mount Albert Road in East Gwillimbury and between Elgin Mills Road East and 19th Avenue in the Town of Markham. In our view, this latter proposed flyover is no longer feasible, appropriate or necessary as it would bisect a Natural Heritage System in Richmond Hill and would adversely impact traffic patterns in Markham by funnelling Regional road traffic through the hamlet of Victoria Square (The Woodbine Bypass is a \$ 30,000,000 roads initiative whose primary purpose is to keep the growth related traffic out of the hamlet). As such, our client opposes the inclusion of these proposed flyovers in the modification suggested by the Region (modification 12 on Map 12). In addition, our client objects to the process followed in forwarding these modifications to the Minister. By choosing to deal with the flyovers as modifications, the Region has sidestepped a full

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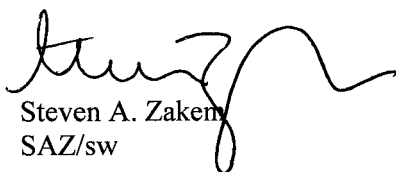
Page 2

public process. As such, and for this reason alone, the Ministry should refuse to make these modifications on Map 12 as requested by the Region.

Would you kindly consider the foregoing comments in conjunction with your assessment of the requests by the Region for the modifications to its approval of the York Region OP.

Yours truly,

AIRD & BERLIS LLP



Steven A. Zakem
SAZ/sw

cc. Denis Kelly, Clerk, Regional Municipality of York
Barbara Jeffrey, Regional Municipality of York

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